00109143

BOMBAY BRANCH
OF THE
ROYAL ASIATIC SOCIETY.
TOWN HALL, BOMBAY.

Digitized with financial assistance from

Government of Maharashtra

on 01 February, 2020

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

APPENDIX

TO THE

REPORT

OF

THE COMMISSIONERS.

100143
ol

Volume IX.

1301

MINUTES OF EVIDENCE

RELATING TO THE

INDIAN AND PROVINCIAL CIVIL SERVICES

Taken at Lucknow from the 31st March to the 7th April 1913,

WITH

APPENDICES.

Presented to both Houses of Parliament by Command of His Majesty.

LIBRARY OF THE ROYAL ASIATIC SOCIETY

00109143

Cx 1.45

LONDON:
PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE.

To be purchased, either directly or through any Bookseller, from
WYMAN AND SONS, LTD., 29, BREAMS BUILDINGS, FETTER LANE, E.C., and
28, ABINGDON STREET, S.W., and 54, ST. MARY STREET, CARDIFF; or
H.M. STATIONERY OFFICE (SCOTTISH BRANCH), 23, FORTH STREET, EDINBURGH; or
E. PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN;
or from the Agencies in the British Colonies and Dependencies,
the United States of America, the Continent of Europe and Abroad of
T. FISHER UNWIN, LONDON, W.C.

PRINTED IN INDIA.

1914.

[Cd. 7581.] *Price 4s. 4d.*

CONTENTS.

	PAGE
LIST OF WITNESSES FROM THE UNITED PROVINCES OF AGRA AND OUDH EXAMINED BEFORE THE ROYAL COMMISSION	iii
NOTE	iv
LISTS OF QUESTIONS CIRCULATED TO WITNESSES FOR WRITTEN REPLIES	v–xl
MINUTES OF EVIDENCE (*Forty-second to Forty-seventh Days*)	1–460
APPENDICES	461–468
INDEX	469–511

C (5)2.768 2750 10/14

Witnesses from the United Provinces examined before the Royal Commission in Lucknow.

	(42ND TO 47TH DAYS.) PAGES.
FORTY-SECOND DAY, 31st March 1913.	
DUNCAN COLVIN BAILLIE, ESQ., C.S.I., I.C.S., Senior Member, Board of Revenue ...	1—25
H. LEDGARD, ESQ., President of the Upper India Chamber of Commerce	25—32
KHAN BAHADUR ABDULLAH *ibn* YUSUF ALI, I.C.S., Magistrate and Collector, Fatehpur	33—56
RAJA KHUSHALPAL SINGH	56—65
PANDIT MADAN MOHAN MALAVIYA, B.A., LL.B., Vakil, High Court, North-Western Provinces, Allahabad	65—92
FORTY-THIRD DAY, 1st April 1913.	
DR. SUNDAR LAL, Rai Bahadur, Advocate, High Court, North-Western Provinces ...	92—115
WILLIAM SINCLAIR MARRIS, ESQ., I.C.S., Magistrate and Collector, Aligarh ...	115—146
PANDIT SITLA PRASAD BAJPAI, Subordinate Judge, Lucknow	146—160
NAWAB MUHAMMAD ABDUL MAJID, Barrister-at-Law	161—169
FORTY-FOURTH DAY, 2nd April 1913.	
RICHARD BURN, ESQ., I.C.S., Chief Secretary to Government	169—236
REV. W. E. S. HOLLAND, Warden, Oxford and Cambridge Hostel, Allahabad ...	236—249
SYED RIZA ALI, ESQ., B.A., LL.B., Vakil of the High Court	249—260
SHAIKH SHAHID HUSAIN, B.A., LL.B., Talukdar of Gadia	260—268
FORTY-FIFTH DAY, 4th April 1913.	
RAI SRI RAM BAHADUR, C.I.E., Talukdar of Oudh and Advocate of Judicial Commissioner's Court, Oudh	268—286
WILLIAM JOHN DWYER BURKITT, ESQ., I.C.S., District and Sessions Judge, Saharanpur	286—300
SHEO PRASAD, ESQ., Junior Secretary to the Board of Revenue	301—324
PANDIT MOTI LAL NEHRU, Advocate of the High Court, and President, United Provinces Congress Committee	325—337
FORTY-SIXTH DAY, 5th April 1913.	
RAI NATTHI MAL BAHADUR, C.I.E., Merchant	338—343
SAIYID NABI-ULLAH, Barrister-at-Law, Vice President, All-India Muslim League ...	343—357
JOSEPH MILES CLAY, ESQ., I.C.S., Under Secretary to Government	357—379
JOHN STRATHEDEN CAMPBELL, ESQ., C.S.I., C.I.E., Commissioner, Kumaun division ...	379—387
FORTY-SEVENTH DAY, 7th April 1913.	
THEODORE CARO PIGGOTT, ESQ., I.C.S., Judicial Commissioner of Oudh	388—409
MUHAMMAD ALI, ESQ., Editor and Proprietor of the *Comrade* and the *Hamdard*, Delhi	409—439
RAI BAHADUR CHAUDHRI MAHARAJ SINGH, Deputy Commissioner, Hardoi ...	439—447
BENJAMIN LINDSAY, ESQ., I.C.S., First Assistant Judicial Commissioner of Oudh ...	443—460

NOTE.

The numbering of the Questions is consecutive throughout. The numbers in brackets correspond with the numbers in the printed sets of Questions marked **A** and **B**, which were issued to official and non-official witnesses respectively, and which will be found on pages v—xi of this volume.

A.

QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

METHODS OF RECRUITMENT.

(a) General.

1. What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India" * and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;" and the term has been so used throughout these questions.

4. Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?

5. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

6. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle please state what alternative you would propose. Do you recommend a system based on any of the following principles:—

(a) Selection by headmasters of schools approved or otherwise:

(b) Selection by authorities in Universities approved or otherwise:

(c) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State:

(d) Combined nomination and examination:

(e) Any other method.

7. What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?

8. Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?

9. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?

10. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of *(a)* nomination; *(b)* combined nomination and examination; or *(c)* any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?

11. If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?

12. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?

13. Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose.

14. Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.

(b) Age-Limits.

15. If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the

A.—Indian Civil Service.]

METHODS OF RECRUITMENT—*contd.*

(b) Age-Limits—concld.

normal school-leaving age in England, or candidates who have completed a University course, candidates at an intermediate stage of education? *

* The principal changes in the age-limits have been as follows:—

Years.	Age-limits at Open Competition.	Period of Probation in England.	Age of Selected Candidates at end of year of arrival in India.
1855—1857	18—23 years	No probation in England	18½—23½
1860—1865	18—22 years	One year's probation	19½—23½
1866—1878	17—21 years on 1st March	Two years' probation	19½—23½
1878—1891	17—19 years on 1st January	Two or three years' probation	20—23
1892—1895	21—22 years on 1st April	One year's probation	22½—24½
1896—1905	21—23 years on 1st January	Ditto	23—25
Since 1906	22—24 years on 1st August	Ditto	23½—25½

16. What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?

17. What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?

18. What is the most suitable age at which junior Civilians should arrive in India?

19. What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? (2) Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?

(c) Subjects of Examination.

20. On what principle should the subjects of the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined" and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?

21. Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates *(a)* of school-leaving age and *(b)* of University-leaving age.

22. Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.

(d) Statutory Regulations.

23. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]

24. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?

25. Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?

26. Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.

27. Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on Executive or Judicial duties?

METHODS OF RECRUITMENT—*concld.*

(d) Statutory Regulations—concld.

28. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?

(e) Mixed Commissions.

29. What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between *(a)* military officers, and *(b)* others; and give details of the latter.

30. Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility? Has it been possible and expedient to employ them in all branches of the Administration, whether on Executive or Judicial duties?

31. If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and, if the system should be introduced or re-introduced, to what extent should it be adopted?

32. Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?

(f) Listed Posts, etc.

33. Please now refer to the rules, dated the 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province.

34. Are all the posts thus listed ordinarily and regularly filled by "Natives of India?" If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons.

35. To what extent also during the last five years have these listed posts been filled—

(a) by members of the Provincial Civil Service;

(b) by other "Natives of India?"

Please give the names and positions of the latter, if any.

36. Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?

37. Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—

(a) to the members of the Provincial Civil Service; and

(b) to the public interested in this question;

and what advantages, if any, does this arrangement possess?

38. Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?

39. Have the officers of the Provincial Civil Service, selected to fill listed posts, proved, on the average, as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?

40. Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled.

41. Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same.

42. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

SYSTEMS OF TRAINING AND PROBATION.

(a) Probation.

43. What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?

44. What should be the duration of the probationer's course in England *(a)* under the present system of the open competitive examination, *(b)* under any modification of that system recommended by you?

A.—Indian Civil Service.]

SYSTEMS OF TRAINING AND PROBATION—*contd.*

(a) Probation—concld.

45. Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?

46. If so, do you advise the selection of one or more Universities for this purpose and for what reasons?

47. Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.

48. If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?

49. Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?

50. If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education, and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?

51. Please examine the statement printed as Appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course *(a)* under the existing system of the open competitive examination, and *(b)* under any modification of that system recommended by you.

52. In particular, please state your opinion as to the desirability during the period of probation of (1) compulsory attendance at Law Courts in England and reporting of cases; (2) the teaching of Indian Law in addition to the general principles of jurisprudence; (3) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (4) the teaching of *(a)* Indian Geography, *(b)* Political Economy, *(c)* Accounts.

53. Do you consider that the probationer's course of instruction can best be spent in England or in India?

54. What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?

55. What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

56. In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

57. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers.

58. In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?

59. Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

(b) Training.

60. Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

61. Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?

62. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

63. Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?

64. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between

SYSTEMS OF TRAINING AND PROBATION—*concld.*

(*b*) *Training*—concld.

recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?

65. Do you recommend any special course of study in law in India for officers selected for the Judicial branch?

66. Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.

67. Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?

68. Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.

69. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.

70. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India," as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

71. Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.

CONDITIONS OF SERVICE.

72. The present theory underlying the conditions of service in the Indian Civil Service is—

(*a*) that the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and

(*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties.

To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?

73. It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?

74. Please show in a tabular statement for the last five years, quarter by quarter, with footnotes giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and, if so, what, has been caused thereby to the Administration.

75. Please now see the statement marked AA and the list marked—

Madras=*A*,
Bombay=*B*,
Bengal=*C*,
United Provinces=*D*,
Punjab=*E*,
Burma=*F*,
Bihar and Orissa=*G*,
Central Provinces and Berar=*H*,
Assam=*I*,

which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary.

76. Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?

77. Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. Attention is invited in this connection to list J in Appendix VII to these questions.

78. Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars

A.—Indian Civil Service.]

CONDITIONS OF SERVICE—*concld.*

of the discrepancies and say whether you consider any change of practice in this respect to be desirable?

79. Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?

80. Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail.

81. Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?

82. Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and 6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?

83. Does the annual decremental rate of 4·17 per cent. on the total strength of the Service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same.

84. Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked B B which is included in Appendix VII to these questions?

85. Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?

86. State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

87. Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

88. To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?

89. Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave, and pension.

CONDITIONS OF SALARY.

90. Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province.

91. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Service authorized on the 1st April of each of the following years: 1860, 1870, 1880, 1900, and 1912.

92. Are the present rates of pay and grading suitable? If not, what alterations do you recommend?

93. If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?

94. Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?

95. Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

96. If abolition is recommended with compensation in the form of increased salaries what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?

97. How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience, and have you any suggestion to make on the subject?

98. How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?

CONDITIONS OF SALARY—*concld.*

99. What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?

100. As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?

101. What is your experience of the practical working of time-scales of pay in other Indian services?

102. If you recommend any system of time-scale of pay, please describe it, and state what condition should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive branches of the Service is different?

103. If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?

104. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?

105. Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?

CONDITIONS OF LEAVE.

106. Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?

107. Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

108. Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

109. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

110. Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?

111. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and rupees, and, if so, what change?

112. Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

113. Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and, if so, what, and what remedy do you suggest?

114. In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?

115. Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?

116. Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

117. Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?

CONDITIONS OF PENSION.

118. Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?

A.—Indian Civil Service.]

CONDITIONS OF PENSION—*concld.*

119. Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service ?

120. Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons ?

121. In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges ? Do you recommend any change in the present conditions ?

122. Do you consider that a similar system should be applied to the cases of high Executive officers, and, if so, to which ? Please state the amount of pension and the conditions which you recommend as suitable.

123. Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend.

124. Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence ? If so, what do you suggest ?

125. Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service ? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement ?

126. Do you approve of the present system regulating the pensions of military officers holding Indian Civil Service posts ? If not, what do you suggest ?

127. Do you approve of the present system regulating the pensions of Statutory Civilians ? If not, what do you suggest ?

128. Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts ? If not, what do you suggest ?

129. Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration ? Have you any proposals to make in regard to the present methods of working such regulations ?

130. In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service ? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based ?

131. Do you recommend that such admission should be optional or compulsory ?

132. If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund ?

133. Is the existing system under which provision is made for the families of deceased military officers holding Indian Civil Service posts satisfactory ? If not, what would you suggest ?

134. Have you any criticisms to make on the facilities at present offered—

(*a*) to Statutory Civilians ;

(*b*) to members of the Provincial Civil Services holding listed posts ;

for providing for their families against their decease ?

135. Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions ?

GENERAL.

136. Are you satisfied with the existing organization of the Indian Civil Service ? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.

137. Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions ? If so, please explain them.

QUESTIONS RELATING TO THE PROVINCIAL CIVIL SERVICE.

(Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive branch or to the Judicial branch.)

METHODS OF RECRUITMENT.

1. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration ?

2. Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration ?

[A.—Provincial Civil Service.

METHODS OF RECRUITMENT—*concld.*

3. Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?

4. Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation.

5. Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year.

6. What is your experience of the officers selected by the different methods of recruitment; which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.

7. To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?

8. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

SYSTEMS OF TRAINING AND PROBATION.

9. What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?

10. Is the existing system of Departmental examinations suitable, and, if not, what changes do you recommend?

CONDITIONS OF SERVICE.

11. Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

12. What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Services is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?

13. In particular, is the leave reserve adequate, and the system on which it is graded suitable?

14. Is there any reserve for officers under training, and is it adequate?

15. What is the annual rate of recruitment and how is it fixed? Has it worked well in practice, and does it secure an even flow of promotion?

16. To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?

17. Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subject of selection for higher appointments and of the compulsory retirement of inefficient officers?

18. To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

19. Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?

20. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

21. Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?

CONDITIONS OF SALARY.

22. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

23. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general re-organization effected, and what improvement of prospects was effected thereby?

24. Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

25. Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?

A.—Provincial Civil Service.]

CONDITIONS OF SALARY—*concld.*

26. What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?

27. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

28. What is your experience of the practical working of time-scales of pay in other Indian services?

29. If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the Service is different?

30. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

CONDITIONS OF LEAVE.

31. Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?

32. Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

33. Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

34. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

35. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

36. Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

37. Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?

38. In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?

39. Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

CONDITIONS OF PENSION.

40. Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

41. Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what, and for what reasons?

42. Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

43. Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?

44. Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?

45. To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?

GENERAL.

46. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

47. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

APPENDIX I.

Period of Age-limits, 17—21, i.e. down to 1877.

Subjects.	Marks.
1. English Composition	500
2. History of England, including that of the Laws and Constitution.	500
3. English Language and Literature	500
4. Language, Literature, and History of Greece	750
5. Language, Literature, and History of Rome	750
6. Language, Literature, and History of France	375
7. Language, Literature, and History of Germany	375
8. Language, Literature, and History of Italy	375
9. Mathematics (pure and mixed)	1,250
10. Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology; (5) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000
11. Moral Science—that is, Logic, Mental, and Moral Philosophy.	500
12. Sanskrit Language and Literature	500
13. Arabic Language and Literature	500

Period of Age-limits, 17—19, i.e. 1878—1891.

Subjects.	Marks.
1. English Composition	300
2. History of England, including a period selected by the candidate.	300
3. English Literature, including books selected by the candidate.	300
4. Greek	600
5. Latin	800
6. French	500
7. German	500
8. Italian	400
9. Mathematics (pure and mixed)	1,000
10. Natural Science—that is, the Elements of any two of the following Sciences, viz. Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	800 or 600
11. Logic	300
12. Elements of Political Economy	300
13. Sanskrit	500
14. Arabic	500

Period of Age-limits, 21—23, i.e. 1892—1905.

Subjects.	Marks.
1. English Composition	500
2. English History	500
3. English Law, viz., Law of Contract—Criminal Law—Law of Evidence and Law of the Constitution.	500
4. English Language and Literature (including special period named by the Commissioners).	500
5. Greek Language and Literature	750
6. Greek History (Ancient, including Constitution)	400
7. Latin Language and Literature	750
8. Roman History (Ancient, including Constitution)	400
9. Roman Law	500
10. French Language and Literature	500
11. German Language and Literature	500
12. General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners; one period at least to include Indian History).	500
13. Mathematics (pure and applied)	900
14. Advanced Mathematical subjects (pure and applied).	900
15. Natural Science, i.e. any number not exceeding three of the following subjects—	
Elementary Chemistry and Elementary Physics	600
(N.B.—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics)—	
Higher Chemistry	600
Higher Physics	600
Geology	600
Botany	600
Zoology	600
Animal Physiology	600
	1,800
16. Logic and Mental Philosophy (Ancient and Modern).	400
17. Moral Philosophy (Ancient and Modern)	400
18. Political Economy and Economic History	500
19. Political Science (including Analytical Jurisprudence, the Early History of Institutions, and Theory of Legislation).	500
20. Sanskrit Language and Literature	500
21. Arabic Language and Literature	500

Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.

Period of Age-limits, 22—24, i.e. 1906 to date.

Subjects.	Marks.
1. English Composition	500
2. English History, either or both sections may be taken—	
Section I, to A. D. 1485	400
Section II, A. D. 1485 to 1848	400
3. English Law	500
4. English Language and Literature	600
Greek, not less than two sub-divisions of which one must be Translation—	
5. Translation	400
6. Prose Composition	200
7. Verse Composition	200
8. Literature, etc.	300
9. Greek History (Ancient, including Constitution)	500
Latin, not less than two sub-divisions, of which one must be Translation—	
10. Translation	400
11. Prose Composition	200
12. Verse Composition	200
13. Literature, etc.	300
14. Roman History (Ancient, including Constitution)	500
15. Roman Law	500
16. French History of the Language and Literature	200
17. French, Translation, Composition, and Conversation.	400
18. German History of the Language and Literature	200
19. German, Translation, Composition, and Conversation.	400
20. Italian History of the Language and Literature	200
21. Italian, Translation, Composition, and Conversation.	400
22. General Modern History	500
23. Lower Mathematics	1,200
24. Higher Mathematics	1,200
25. Natural Science, i.e. any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken—	
(1) Chemistry	600
(2) Physics	600
(3) Geology	600
(4) Botany	600
(5) Zoology	600
(6) Animal Physiology	600
(7) Geography	600
	2,400 or 1,800
26. Logic and Physiology	600
27. Moral and Metaphysical Philosophy	600
28. Political Economy and Economic History	600
29. Political Science	500
31. Sanskrit Language and Literature	800
32. Arabic Language and Literature	800

Consistently with the limitations specified above candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000.

APPENDIX II.

THE INDIAN CIVIL SERVICE ACT, 1861.

(24 & 25 Vict., Cap. 54.)

An Act to confirm certain appointments in India, and to amend the law concerning the Civil Service there.

[1st August 1861.]

33 G. 3, c. 52.

WHEREAS by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment and that no such civil servant should be capable of being advanced or promoted to any higher station, rank, or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen: And whereas by reason of the exigencies of the public service vacancies in certain offices, places, and employments in India have been filled up by the appointment of persons not being civil servants or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Appointments not in accordance with 33 G. 3, c. 52, valid.

1. *All appointments made by the authorities in India to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act hereinbefore recited or referred to had not been passed*—(*Rep.* 55 & 56 *Vict., c.* 19).

Vacancies in offices to be supplied by covenanted civil servants.

2. All vacancies happening in any of the offices, places, or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

Persons not covenanted civil servants may, under special circumstances, be appointed to such offices subject to certain restrictions.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions, and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial departments specified in the said Schedule shall pass an examination in the vernacular language of the district in which he is to be employed, where such examination is now required, and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on covenanted civil servants.

Such appointment in each case to be reported to the Secretary of State.

4. Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same; and unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of Members present at a meeting and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled.

Certain offices may be filled up without regard to restrictions prescribed by recited Act.

5. All vacancies happening in any other offices, places, or employments than those mentioned in the said Schedule, and all other offices than those so mentioned that may hereafter be created in India may be filled up and supplied without regard to the qualifications, conditions, and restrictions prescribed by the said Act.

Act not to apply to office of Lieutenant-Governor, etc.

6. Provided always that this Act shall not apply to the office of Lieutenant-Governor of any part of Her Majesty's dominions in India, or to any offices for the supply of which provision may be made by any other Act of the present session of Parliament.

So much of 33 G. 3, c. 52, as requires seniority, etc., for appointments repealed.

7. Section fifty-six of the said Act of the thirty-third year of King George the Third, and so much of the other sections of the said Act and of any other Act now in force as requires seniority as a condition or qualification for the appointment of civil servants to offices, places, or employments, shall be repealed.

SCHEDULE.

Secretaries, Junior Secretaries, and Under Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries, and Under Secretaries in the Military, Marine, and Public Works departments.

Accountant-General.
Civil Auditor. (*a*)

Sub-Treasurer. (*b*)

(*a*) now called Comptroller-General.

(*b*) Now non-existent.

Judicial.

1. Civil and Sessions Judges, or Chief Judicial officers of districts in the provinces now known as Regulation Provinces.

2. Additional and Assistant Judges in the said provinces.

3. Magistrates or Chief Magisterial officers of districts in the said provinces.

4. Joint Magistrates in the said provinces.

5. Assistant Magistrates or Assistants to Magistrates in the said provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.

2. Secretaries to the said Boards of Revenue.

3. Commissioners of Revenue or Chief Revenue officers of divisions in the provinces now known as Regulation Provinces.

4. Collectors of Revenue or Chief Revenue officers of districts in the said provinces.

5. Deputy or Subordinate Collectors where combined with the office of Joint Magistrate in the said provinces.

6. Assistant Collectors or Assistants to Collectors in the said provinces.

7. Salt Agents.

8. Controller of Salt Chowkies.

9. Commissioners of Customs, Salt, and Opium.

10. Opium Agents.

APPENDIX III.

THE GOVERNMENT OF INDIA ACT, 1870.

(33 Vict., Cap. 3.)

An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

* * * * * * * * *

Power to appoint Natives of India to certain offices without certificate from the Civil Service Commissioners. 21 & 22 Vict. c. 106. 24 & 25 Vict., c. 54.

6. Whereas it is expedient that additional facilities should be given for the employment of Natives of India, of proved merit and ability, in the Civil Service of Her Majesty in India:

Be it enacted, that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the Civil Service of Her Majesty in India from appointing any Native of India to any such office, place, or employment, although such Native shall not have been admitted to the said Civil Service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor General in Council and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present;

and that for the purpose of this Act the words "Natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;

and that it shall be lawful for the Governor General in Council to define and limit from time to time the qualification of Natives of India thus expressed; provided that every resolution made by him for such purpose shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

APPENDIX IV.

Notification of the Government of India, Home Department (Establishments) No. 1128, dated Simla, the 26th August 1910.

In exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), and in supersession of the rules published in the Home Department Notification No. 2159 (Public), dated the 2nd November 1892, the Governor General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present.

1. The Local Government may appoint any member of the Provincial Civil Service subordinate to it, who is a Native of India, and of proved merit and ability, to any of the offices, places, and employments ordinarily held by members of the Civil Service of His Majesty in India, to fill which it has been declared by such Local Government (by notification in the official Gazette) that members of such Provincial Civil Service can properly be appointed.

2. The Local Government may, at any time, appoint any Native of India of proved merit and ability to any of the offices, places, and employments specified by such Local Government in any such notification as in Rule 1 is mentioned; provided that not more than one-fourth of the offices, places, and employments so specified, shall at any one time be held by Natives of India not members of the Provincial Civil Service subordinate to the Local Government; but this proviso shall not apply to or include any Native of India (not a member of a Provincial Service) who has,

A.—Indian Civil Service.]

prior to the making of these rules, been appointed under section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), to an office, place, or employment in the Civil Service of India.

3. In addition to appointments made under Rules 1 and 2 the Local Government may, whenever the exigencies of the public service render it necessary, appoint to any of the offices, places, or employments ordinarily held by members of the Civil Service of His Majesty in India, for a period not exceeding three months, any Native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The Local Government may declare any appointment to be made on probation only and may prescribe the terms on which it is made and the conditions with which the person appointed, must comply before he can be confirmed.

5. The Local Government may, at any time, suspend and remove any person appointed by a Local Government under these rules.

A. EARLE,

Offg. Secretary to the Government of India.

APPENDIX V.

STATEMENT showing Posts listed as open to the Provincial Civil Services.

	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces (and Berar).	Total.
Superior Posts.									
Heads of districts ..	2	2	8	2	2	2	5	4	49
District and Divisional Judges.	4	3		5	6	2		2	
Settlement Collectors ..	..	..	..	..	2	1	..	..	3
Sub-Collectors	2	..	..	..	..	..	..	..	2
Secretary, Board of Revenue ..	..	..	..	..	1	..	..	..	1
Talukdari Settlement Officer..	..	1	..	..	..	..	..	..	1
Total ..	8	6	8	7	11	5	5	6	56
Inferior Posts.									
Secretary to Board of Revenue.	1	..	..	1	..	..	..	..	2
Under Secretary to Government.	1	..	1	..	1	..	1	..	4
Joint Magistrates or Assistant Commissioners or Assistant Collectors.	5	8	8	7	3	..	..	2	33
Assistant Judges.. ..	..	3	..	..	..	..	..	..	3
Small Cause Court Judges ..	..	..	..	2	..	..	..	..	2
Assistant Settlement Officers	..	..	..	2	..	..	..	..	2
Assistant to Director of Land Records.	..	..	..	1	..	..	..	..	1
Total ..	7	11	9	13	4	..	1	2	47
Grand Total, Superior and Inferior.	15	17	17	20	15	5	6	8	103

A.—Indian Civil Service.]

APPENDIX VI.

Final Examination of 1891 when the Period of Probation was two years.		Final Examination of 1912 when the Period of Probation was one year.	
Subjects *(a)*.	Marks.	Subjects.	Marks.
1. * Classical languages of India—		*Compulsory*—	
Sanskrit	500	1. The principal Vernacular language of the province to which the candidate is assigned ...	400
Arabic	400	2. Indian History	400
Persian	400	3. Indian Penal Code ...	400
2. † Vernacular languages of India (excepting Hindustani when taken up by Madras candidates and Gujrati) each ...	400	4. Code of Criminal Procedure ...	200
		5. The Indian Evidence Act ...	200
		Optional—(Not more than one of following subjects) :—	
3. The History and Geography of India.	350	1. § Sanskrit	400
4. ‡ Law...	1,250	2. § Arabic	400
5. Political Economy	350	3. Persian	400
		4. Hindustani (for candidates assigned to the province of Burma only)	400
		5. Hindu and Muhammadan Law	450

(*a*) In addition to the above, candidates were permitted to take up any one of the following branches of natural science, viz., Agricultural chemistry, botany, geology, and zoology for which 350 marks were allowed.

* One or more of these subjects could be taken.

† One of the languages prescribed for the candidates' presidency or province.

‡ The course of reading in law included—

(1) General Jurisprudence—
- Blackstone's Commentaries.
- Austin's Jurisprudence.
- The Institutes of Justinian.
- Maine's Ancient Law.
- Mackenzie's Studies in Roman Law.
- Bentham's Theory of Legislation.

20th Report of His Majesty's Civil Service Commissioners, pages 523-6.

(2) Law of Evidence—
- The Indian Evidence Act.
- Pitt Taylor's Treatise on the Law of Evidence.

(3) Law of India—
- The Code of Civil Procedure.
- The Indian Penal Code.
- The Code of Criminal Procedure.
- The Indian Law of Contracts.
- The Intestate and Testamentary Succession Act.
- Hindu Law.
- Muhammadan Law.

Simultaneously the candidates attended courts and supplied the following detailed reports, with an analysis and notes in each case :—

First Periodical Examination.	Seven reports of police court cases of a stipendiary magistrate, embracing cases in which the magistrate exercised final jurisdiction and cases which he committed for trial.
	Four civil cases of a county court in which the parties were represented by counsel.
	One separate report of the whole business, of whatever kind, transacted in a police court during one day.
Second Periodical Examination.	Five reports of civil actions in the superior courts of London in which the defendant was represented by counsel.
	Five reports of cases decided in the Central Criminal Court in which the prisoner was represented by counsel.
Third Periodical Examination.	Three reports of civil cases of importance tried before special juries in the Superior Courts of London.
	Three reports of criminal cases of importance tried before juries in the Central Criminal Court and selected for some special quality, such as the gravity of the offence, the nature of the evidence produced, the number of the prisoners, &c.
Final Examination ..	One report of the investigation before a London police magistrate of a grave criminal charge ending in committal.
	One report of the whole business, of whatever kind transacted in a London police court in one day.
	Two reports of important civil cases tried by a special jury in London.
	One report of a case heard in the Judicial Committee of the Privy Council on appeal from India.

§ These subjects cannot be offered by any candidate who has offered them at the Open Competition.

APPENDIX VII.

AA.

STATEMENT showing the CADRE and STRENGTH of the INDIAN CIVIL SERVICE for INDIA as a whole and by PRESIDENCIES or PROVINCES, as sanctioned on 1st July 1912, together with the number of Posts listed as open to the Provincial Service in accordance with the terms of the Rules *made under the provisions* of section 6 of the Government of India Act, 1870 (33 Vict., Chap. 3).

	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
(1) Number of "Superior" posts, i.e., posts carrying a salary of over Rs. 1,000 a month in the presidency or province ..	87	84	90	111	80	83	54	51	22	662
(2) *Deduct* for posts listed as open to Provincial Service ..	8	6	8	7	11	5	5	6	..	56
(3) *Add* for posts under the Government of India *(a)*.. ..	8	8	8	10	7	6	5	4	2	58
(4) Balance number of "Superior" posts	87	86	90	114	76	84	54	49	24	664
(5) *Add* 4 per cent. for temporary posts and for deputation. [*N.B.*—For such posts additions are made in the lowest grade of assistants] ..	3	3	4	5	3	3	2	2	1	26
(6) Total number of "Superior" posts on which recruitment is based	90	89	94	119	79	87	56	51	25	690
(7) *Add* "Inferior" posts, i.e., posts above the lowest grade of assistants, but below the "Superior" posts, at 39 per cent. of line (6)	35	35	37	46	31	34	22	20	9	269
(8) *Add* leave reserve at 40 per cent. of line (6)	36	35½	37½	47½	32	35	22½	20	10	276
(9) *Add* training reserve at 15·5 of line (6)	14	13½	14½	18½	12	13	8½	8	4	106
(10) Strength of service required at 194·5 per cent. of line (6) ..	175	173	188	231	154	169	109	99	48	1,841
(11) Rate of recruitment at 4·17 per cent. of strength shown in line (10)	7·3	7·2	7·6	9·6	6·4	5·3 Civil. 1·7 Military.	4·5	4·1	2·0	54 Civil. 1·7 Military.

(a) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular province.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

List A.

MADRAS.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
2	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chief Secretary	3,750
1	Member, Board of Revenue	3,500
1	Secretary, Revenue Department	3,125
2	Members, Board of Revenue	3,000
2	District and Sessions Judges, 1st grade	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Resident, Travancore	2,800
7	District and Sessions Judges, 2nd grade	2,500
1	Secretary, Municipal (Local) Department	2,500
(*a*) 7	Collectors, 1st grade	2,500
7	District and Sessions Judges, 3rd grade	2,250
(*a*) 14	Collectors, 2nd grade	2,250
6	District and Sessions Judges, 4th grade	2,000
1	Commissioner of Coorg	1,800—2,000
(*a*) 6	Collectors, 3rd grade	1,800
1	Secretary to Commissioner of Land Revenue	1,500—1,800
1	Ditto Salt and Abkari Revenue ...	1,500—1,800
1	Registrar, High Court	1,500—1,800
1	Private Secretary	1,500
(*b*) 20	Sub-Collectors and Joint Magistrates, 1st grade... ...	1,200
Total ... 87		
Deduct —8	For posts listed as open to the Provincial Service.	
Add ...+8	For posts under the Government of India.	
Balance ... 87		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
3	Under Secretaries	1,000
16	Joint Magistrates, 2nd grade	900
16	Ditto 3rd „	700
Total ... 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
36	Leave reserve.	
14	Training reserve.	
Total ... 53		

(*a*) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Credit Societies.

(*b*) Includes Deputy Commissioner of Salt and Abkari, and Director of Land Records

APPENDIX VII.—*contd.*

List B.

BOMBAY (INCLUDING SIND).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
3	High Court Judges	4,000
1	Chief Secretary	3,750
1	Commissioner in Sind	3,750
3	Commissioners	3,500
1	Secretary	3,125
1	Commissioner of Customs, Salt, Opium, &c. ...	3,000
1	Municipal Commissioner, Bombay	3,000
1	Judicial Commissioner, Sind	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Additional Judicial Commissioner	2,750
(a) 3	District and Sessions Judges, 1st grade	2,500
1	Secretary	2,500
6	District and Sessions Judges, 2nd grade	2,325
13	Senior Collectors	2,325
1	Commissioner of Settlement and Director, Land Records	Salary of grade *plus* a local allowance of Rs. 250.
9	District and Sessions Judges, 3rd grade	1,800
(b) 15	Junior Collectors	1,800
1	Registrar, High Court	1,700
1	Private Secretary...	1,500
1	Deputy Commissioner, Upper Sind Frontier ...	1,200 + Local allowance Rs. 300.
3	Political appointments	...
1	Assistant Remembrancer of Legal Affairs	1,250—50—1,500
2	Under Secretaries	1,250
1	Talukdari Settlement Officer	1,100
1	Assistant to Commissioner in Sind	1,100 + Local allowance Rs. 100.
1	Manager, Sind Encumbered Estates	Salary of grade *plus* special allowance of Rs. 200.
2	Superintendents of Land Records	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
5	Assistant Collectors, 1st grade	900 (c)
Total ... 84		
Deduct... −6	For posts listed as open to the Provincial Service.	
Add ... +8	For posts under the Government of India.	
Balance... 86		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
17	Assistant Collectors, 1st grade	900
18	Ditto 2nd „	700
Total ... 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
35½	Leave reserve.	
13½	Training reserve.	
Total ... 52		

(a) Includes Remembrancer of Legal Affairs.

(b) Includes Collector of Salt Revenue, Collector of Bombay, and Director of Agriculture and Co-operative Credit Societies; but excludes Collector of Customs, Bombay.

(c) It has recently been proposed to raise the pay of these five appointments to Rs. 1,200.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

List C.

BENGAL.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
4	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chairman, Calcutta Corporation	3,500
1	Chief Secretary	3,333⅓
(*a*) 3	District and Sessions Judges, 1st grade	3,000
1	Chairman of the Calcutta Improvement Trust ...	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
2	Secretaries	2,750
(*a*) 13	District and Sessions Judges, 2nd grade	2,500
(*b*) 12	Magistrates and Collectors, 1st grade	2,250
(*a*) 14	District and Sessions Judges, 3rd grade	2,000
(*b*) 13	Magistrates and Collectors, 2nd grade	1,800
1	Registrar, High Court	1,700
(*b*) 14	Magistrates and Collectors, 3rd grade	1,500
1	Private Secretary to His Excellency the Governor ...	1,500
1	Deputy Chairman, Calcutta Corporation	1,500
Total ... 90		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add ... + 8	For posts under the Government of India.	
Balance... 90		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay (excluding one listed Under Secretaryship).*	
2	Under Secretaries	1,000
17	Joint Magistrates	900
17	Ditto	700
Total ... 36		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
4	Reserve for temporary appointments and deputations.	
37½	Leave reserve.	
14½	Training reserve.	
Total ... 56		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and three District and Sessions Judges for Assam.

(*b*) Includes Commissioner of Excise, Director of Land Records, Director of Agriculture, two Secretaries to the Board of Revenue, Registrar of Co-operative Credit Societies, three Settlement Officers, and four Additional Magistrates for Dacca, Midnapur, Backerganj, and Mymensingh.

APPENDIX VII.—*contd.*

List D.

UNITED PROVINCES.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
3	High Court Judges	4,000
1	Judicial Commissioner	3,500
2	Members, Board of Revenue	3,500
1	Additional Judicial Commissioner	3,333⅓
1	Chief Secretary	3,000
2	District and Sessions Judges, 1st grade	3,000
9	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
1	Opium Agent	2,500—100—3,000
1	Commissioner, Kumaun	2,500
(*a*) 7	District and Sessions Judges, 2nd grade	2,500
(*b*) 19	Magistrates and Collectors, 1st grade	2,250
(*a*) 6	District and Sessions Judges, 3rd grade	2,250
10	Ditto ditto 4th „	1,833⅓
(*b*) 17	Magistrates and Collectors, 2nd grade	1,833⅓
4	Deputy Commissioners, 1st grade	1,833⅓
3	District and Sessions Judges, 5th grade	1,666⅔
(*b*) 10	Deputy Commissioners, 2nd grade	1,666⅔
1	Registrar, High Court	1,600
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Deputy Director of Land Records	
1	Registrar, Co-operative Credit Societies	
1	Superintendent, Dehra Dun	1,500
1	Deputy Commissioner, Naini Tal	1,500
1	Assistant Judge	1,100
2	Deputy Commissioners of Garhwal and Almora	1,000
Total ... 111		
Deduct — 7	For posts listed as open to the Provincial Service.	
Add + 10	For posts under the Government of India.	
Balance... 114		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
2	Under Secretaries	1,000
1	Under Secretary	800
1	City Magistrate, Lucknow	1,000
14	Joint Magistrates, 1st grade	1,000
6	Assistant Commissioners, 1st grade	800
1	Assistant Judge	800
20	Joint Magistrates, 2nd grade	700
1	Registrar, Judicial Commissioner's Court	Salary of grade.
Total ... 46		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
5	Reserve for temporary posts and for deputations.	
47½	Leave reserve.	
18½	Training reserve.	
Total ... 71		

(*a*) Includes the Legal Remembrancer.
(*b*) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture, and Commissioner of Excise.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

List E.

PUNJAB (EXCLUDING THE NORTH-WEST FRONTIER PROVINCE).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
2	Judges, Chief Court	3,500
2	Financial Commissioners	3,500
1	Chief Secretary	3,000
5	Commissioners	2,750
2	Divisional Judges, 1st grade	2,750
3	Ditto 2nd „	2,500
5	Ditto 3rd „	2,250
(a) 10	Deputy Commissioners, 1st grade	2,250
6	Divisional Judges, 4th grade	1,800
(a) 11	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(a) 13	Deputy Commissioners, 3rd grade	1,500
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
1	Senior Secretary to Financial Commissioners	Salary of grade subject to a minimum of Rs. 1,200 and a maximum of Rs. 1,800.
1	Junior Secretary to Financial Commissioners	Salary of grade subject to a maximum of Rs. 1,500 and a minimum of Rs. 1,000.
1	Registrar, Chief Court	1,250
Total ... 80		
Deduct — 11	For posts listed as open to the Provincial Service.	
Add + 7	For posts under the Government of India	
Balance ... 76		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay (excluding one Under Secretaryship listed).*	
2	Under Secretaries	1,000
14	Assistant Commissioners, 1st grade	900
15	Ditto 2nd „	700
Total ... 31		
	Reserve posts, i.e., *Asstt. Commissioners of the lowest grade.*	400—500
3	Reserve for temporary posts and for deputations.	
32	Leave reserve.	
12	Training reserve.	
Total ... 47		

(a) Includes two Secretaries of Government, Director of Land Records, Director of Agriculture, and Political Agent in the Phulkian States.

APPENDIX VII.—*contd.*

List F.

BURMA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
1	Judge, Chief Court	3,500
1	Judicial Commissioner, Upper Burma	3,500
1	Financial Commissioner	3,500
1	Chief Secretary to Government	3,000
8	Commissioners of Divisions	2,750
1	Commissioner of Settlements and Director of Land Records...	2,750
2	Divisional Judges, 1st grade	2,750
1	President, Rangoon Municipality	2,500 *(a)*
1	Director of Agriculture	2,400 *(d)*
2	Divisional Judges, 2nd grade	2,250
(c) 12	Deputy Commissioners, 1st grade	2,250
1	Revenue Secretary to Government	2,250 *(b)*
1	Secretary to Government	2,250 *(b)*
2	Divisional Judges, 3rd grade	1,800
(c) 13	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(c) 15	Deputy Commissioners, 3rd grade	1,500
1	Deputy Director of Land Records	1,600 *(b)*
1	Secretary to Financial Commissioner	1,500 *(b)*
1	Registrar, Chief Court	1,400 *(b)*
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
Total ... 83 *Deduct* ...— 5 *Add* ...+ 6 Balance ... 84	For posts listed as open to the Provincial Service. For posts under the Government of India.	
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
11	Assistant Commissioners, 1st grade	1,000
13	Ditto 2nd „	700
10	Ditto 3rd „	600
Total ... 34		
	Reserve posts, i.e., *Assistant Commissioners of the 4th grade.*	450—500
3	Reserve for temporary posts and for deputations.	
35	Leave reserve.	
13	Training reserve.	
Total ... 51		

(a) Maximum salary including a local allowance of Rs. 250 a month.

(b) Maximum salary including a local allowance of Rs. 400, Rs. 300, Rs. 200, Rs. 200, and Rs. 200 respectively

(c) Includes Superintendents of Shan States, Collector of Rangoon, and Commissioner of Excise, the latter officer drawing the salary of grade *plus* a local allowance of Rs. 250, without a maximum.

(d) Maximum salary including a local allowance of Rs. 150 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

List G.

BIHAR AND ORISSA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
2	Members of Council	5,000
2	High Court Judges	4,000
1	Member, Board of Revenue	3,500
1	Chief Secretary	3,000
(a) 2	District and Sessions Judges, 1st grade	3,000
5	Commissioners	2,916⅔
(a) 1	Inspector-General of Police	2,500—100—3,000
(a) 5	District and Sessions Judges, 2nd grade	2,500
(b) 9	Magistrates and Collectors, 1st „	2,250
(a) 5	District and Sessions Judges, 3rd „	2,000
(b) 10	Magistrates and Collectors, 2nd „	1,800
(b) 10	Ditto 3rd „	1,500
Total ... 54		
Deduct ... —5	For posts listed as open to the Provincial Service.	
Add ... +5	For posts under the Government of India.	
Balance... 54	On which recruitment is based.	
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts (including one listed Under Secretary) in order of pay.*	
2	Under Secretaries	1,000
10	Joint Magistrates, 1st grade	900
10	Ditto 2nd „	700
Total ... 22		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
2	Reserve for temporary posts and for deputations.	
22½	Leave reserve.	
8⅓	Training reserve.	
Total ... 33		

(a) Includes Superintendent and Remembrancer of Legal Affairs and Judicial Commissioner, Chota-Nagpur.

(b) Includes two Secretaries to Government, and Directors of Land Records and Agriculture, Commissioner of Excise, Registrar of Co-operative Credit Societies, two Settlement Officers, and Political Officer, Orissa.

APPENDIX VII.—*contd.*

List H.

CENTRAL PROVINCES AND BERAR.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
	Central Provinces.	Rs.
1	Chief Commissioner	5,166⅔
1	Financial Commissioner	3,500
1	Judicial Commissioner	3,500
1	Additional Judicial Commissioner	3,000
1	Second Additional Judicial Commissioner	2,750
3	Commissioners	2,750
2	Ditto	2,500
1	Senior Divisional Judge	2,500
(a) 8	Deputy Commissioners, 1st class	2,250
(a) 12	Ditto 2nd „	1,800
(a) 14	Ditto 3rd „	1,500
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Director of Agriculture	
1	Registrar, Co-operative Credit Societies	
Total ... 51		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add ...+ 4	For posts under the Government of India.	
Balance ... 49		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
6	Assistant Commissioners, 1st grade	900
13	Ditto 2nd „	700
Total ... 19		
	NOTE.—There is a defect of one post. It has recently been proposed to correct the defect and to grade the 20 posts as follows :—	
10	Assistant Commissioners, 1st grade	900
10	Ditto 2nd „	700
Total ... 20		
	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	
2	Reserve for temporary posts and for deputations.	400—500
20	Leave reserve.	
8	Training reserve.	
Total ... 30		

(a) Includes Chief Secretary, Secretary, Political Agent of Chhattisgarh, Commissioner of Excise, Commissioner of Settlements, three Divisional Judges, Inspector-General of Police, and two District and Sessions Judges, and one Secretary to the Chief Commissioner. The Inspector-General of Police draws a local allowance of Rs. 450 subject to a maximum salary of Rs. 2,500 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

List I.

ASSAM.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Chief Commissioner	5,166⅔
2	Commissioners	2,750
(a) 6	Deputy Commissioners, 1st grade	2,250
(a) 7	Ditto 2nd „	1,800
(a) 6	Ditto 3rd „	1,500
Total ... 22		
Deduct ... *Nil.*	For posts listed as open to the Provincial Service.	
Add ... +2	For posts under the Government of India.	
Balance ... 24		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
2	Under Secretaries	1,000
4	Joint Magistrates, 1st grade	900
3	Ditto 2nd „	700
Total ... 9		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
1	Reserve for temporary posts and for deputations.	
10	Leave reserve.	
4	Training reserve.	
Total ... 15		

(a) Includes Superintendent of Lushai Hills, Commissioner of Excise, Inspector-General of Registration and Registrar of Co-operative Credit Societies, Director of Land Records and Agriculture, two Secretaries to the Chief Commissioner, Inspector-General of Police, one Settlement Officer, and Political Agent, Manipur.

List J.

SUPERIOR POSTS UNDER THE GOVERNMENT OF INDIA.

Number.	Designation.	Pay of each.
		Rs.
3	Members of Council	6,666⅔
	Home Department—	
1	Secretary	4,000
1	Deputy Secretary	2,000
1	Director, Criminal Intelligence	3,000
1	Superintendent of Port Blair	2,500—3,000
	Finance Department—	
1	Secretary	4,000
1	Joint Secretary	3,000
1	Deputy Secretary	2,250
1	Comptroller and Auditor-General	3,500—4,000
3	Accountants-General	2,250—2,750
3	Officers of the Indian Finance Department	1,100—1,800
	Foreign Department—	
1	Secretary	4,000
1	Deputy Secretary	2,250
23	Political Officers	1,100—4,000
	Legislative Department—	
1	Secretary or Deputy Secretary	3,000—3,500 or 2,000
	Department of Revenue and Agriculture—	
1	Secretary	4,000
	Department of Commerce and Industry—	
1	Secretary	4,000
1	Director-General of Posts and Telegraphs	3,000—3,500
4	Postmasters-General	1,500—1,750 or 1,750—2,000 or 2,250—2,500
1	Commissioner, Northern India Salt Revenue	2,500
1	Inspector-General of Excise and Salt	3,000
3	Collectors of Customs	2,050—2,500
2	Assistant Collectors of Customs	1,150—1,400
	Department of Education—	
1	Secretary	3,000
Total .. 58		

APPENDIX VII.—*concld.*

BB.

STATEMENT showing for INDIA as a whole and by PRESIDENCIES and PROVINCES the actual Strength of the INDIAN CIVIL SERVICE CADRE, as it stood on 1st July 1912, compared with the Strength at which it should have stood on the same date in accordance with the sanctioned calculations.

Provinces.	Sanctioned strength.	Actual strength on 1st July 1912.		Number of officers over (+) or under (−) strength.
1	2	3		4
Madras	175		173	− 2
Bombay	173		176 *(a)*	+ 3
Bengal	183		174 *(b)*	− 9
United Provinces	231		237 *(c)*	+ 6
Punjab	154	Civilians 162 *(d)* ..	191	+ 37
		Military 29 *(e)* ..		
Burma	169	Civilians 126 ..	175	+ 6
		Military 49 ..		
Bihar and Orissa	109		107 *(f)*	− 2
Central Provinces	99		104 *(g)*	+ 5
Assam	48	Civilians 39 ..	48	..
		Military 9 ..		
Total ..	1,341		1,385	+ 44

(a) Excluding Sir B. Robertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. C. Mules of the Sind Commission.

(b) Excluding Messrs. Nathan and Hallett, who have been temporarily lent by Bihar and Orissa to Bengal and have been included in the Bihar and Orissa cadre.

(c) Including Sir H. Butler, who has not been numbered in the Civil List, but excluding Messrs. W. Alder and T. K. Johnston, who have been temporarily transferred to, and included in, the Bengal cadre.

(d) Including Messrs. O'Dwyer, Lorimer, Barton, Grant, Rennie, Johnston, Glancy, Pipon, Bolton, Pears, Jelf Howell, Bill, Copeland, Fraser, Fitzpatrick, Latimer, serving in the Political Department under the Government of India in the North-West Frontier Province, and Messrs. Bray and Cater, also serving under the Government of India in the Political Department in Baluchistan, and excluding Messrs. Cowan, Macnair and Jacob, serving in Bengal, where they have been included, and Mr. Gordon, serving in Assam, in which he has also been included.

(e) Including Lieutenant-Colonel Rawlinson, Mr. J. S. Donald, Major Blakeway, Lieutenant-Colonel Sir G. Roos-Keppel and Captain Keen, serving in the Political Department under the Government of India in the North-West Frontier Province.

(f) Excluding the late Mr. Shettle.

(g) Including Sir B. Robertson, who permanently belongs to the Central Provinces, but has been wrongly omitted from the Civil List, but excluding Messrs. Crawford (serving in Bihar and Orissa, where he has been included), and Liddell (serving in Bengal, in which he has been included), and three Indian members of the Berar Commission who have been treated as holding posts corresponding to three listed posts.

A.—Indian Civil Service.]

APPEN

CC

Nature of posts.	Madras.		Bombay.		Bengal.		United Provinces.	
	No.	Pay.	No.	Pay	No.	Pay.	No.	Pay.
		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governors and Chief Commissioners.	..	..	..	..	..	..	1	8,333⅓
Members of Councils.	2	5,333⅓	2	5,333⅓	2	5,333⅓	..	..
Judges of High or Chief Courts.	2	4,000	3	4,000	4	4,000	3	4 000
Boards of Revenue or Financial Commissioners.	4	(1) 3,750 (1) 3,500 (2) 3,000	..	..	1	3,750	2	3,500
Commissioners of Divisions and others of same rank.	..	..	6	(1) 3,750 (3) 3,500 (2) 3,000	5	2,916⅔	10	(9) 2,916⅔ (1) 2,500
Secretaries to Government	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,333⅓ (2) 2,750	1	3,000
Secretaries to Boards of Revenue or Financial Commissioners.	2	1,500—1,800	..	..	..	..	..	..
Judicial Commissioners	..	..	2	(1) 3,000 (1) 2,750	..	..	2	(1) 3,500 (1) 3,333⅓
District and Sessions Judges or Divisional Judges and District Judges.	22	(2) 3,000 (7) 2,500 (7) 2,250 (6) 2,000	18	(3) 2,500 (6) 2,325 (9) 1,800	30	(3) 3,000 (13) 2,500 (14) 2,000	28	(2) 3,000 (7) 2,500 (6) 2,250 (10) 1,833⅓ (3) 1,666⅔
Collectors or Deputy Commissioners.	27	(7) 2,500 (14) 2,250 (6) 1,800	29	(13) 2,325 (15) 1,800 (1) 1,500	39	(12) 2,250 (13) 1,800 (14) 1,500	54	(19) 2,250 (21) 1,833⅓ (10) 1,666⅔ (2) 1,500 (2) 1,000
Political officers ..	1	2,800	3	..	..	..	..	..
Miscellaneous posts ..	(a) 4	(1) 2,500—3,000 (1) 1,800—2,000 (1) 1,500—1,800 (1) 1,500	(b)6	(1) 2,500—3,000 (1) 1,700 (1) 1,500 (1) 1,250—1,500 (2) 1,100	(c)6	(1) 3,500 (1) 3,000 (1) 2,500—3,000 (1) 1,700 (1) 1,500 (1) 1,300	(d)4	(2) 2,500—3,000 (1) 1,600 (1) 1,100
Under Secretaries to Government ..	3	1,000	2	1,250	2	1,000	3	(2) 1,000 (1) 800
Joint Magistrates or Assistant Commissioners, 1st grade ..	20	1,200	..	..	..	..	..	..
Joint Magistrates or Assistant Commissioners, 2nd (1st) grade ..	16	900	17	900	17	900	22	(15)(e) 1,000 (7)(f) 800
Joint Magistrates or Assistant Commissioners, 3rd (2nd) grade ..	16	700	18	700	17	700	20	700
Joint Magistrates or Assistant Commissioners, 4th (3rd) grade	..	..	..	..	..	..	..	..
Assistant Collectors or Commissioners ..	53	400—500	57	400—500	56	400—500	71	400—500
Appointments which do not carry fixed pay and the salary of which depends on the position of their holders..	..	..	5	..	..	..	7	..
Total ..	175	..	171	..	182	..	228	..

(a) Inspector-General of Police, Commissioner of Coorg, Registrar of High Court and Private Secretary to Governor.

(b) Inspector-General of Police, Registrar of High Court, Private Secretary to Governor, Assistant Legal Remembrancer, Assistant to Commissioner in Sind and Taluqdari Settlement Officer.

(c) Chairman of Calcutta Corporation, Chairman of Calcutta Improvement Trust, Inspector-General of Police, Registrar of High Court, Private Secretary to Governor and Deputy Chairman of Calcutta Corporation.

(d) Inspector-General of Police, Opium Agent, Registrar of High Court and Assistant Judge.

(e) Includes City Magistrate of Lucknow.

(f) Includes an Assistant Judge.

DIX VIII.

Punjab.		Burma.		Bihar and Orissa.		Central Provinces and Berar.		Assam.	
No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
	Rs.		Rs.		Rs.		Rs.		Rs.
1	8,333⅓	1	8,333⅓	1	8,333⅓	1	5,166⅔	1	5,166⅔
..	..	..	..	2	5,000	..	..	..	..
3	(1) 4,000 (2) 3,500	2	(1) 4,000 (1) 3,500	2	4,000	..	..	..	..
2	3,500	1	3,500	1	3,500	1	3,500	..	..
5	2,750	9	2,750	5	2,916⅔	5	(3) 2,750 (2) 2,500	2	2,750
1	3,000	1	3,000	1	3,000	..	..	..	..
2	(1) 1,200—1,800 (1) 1,000—1,500	..	..	..	..	..	..	..	..
..	..	1	3,500	..	..	3	(1) 3,500 (1) 3,000 (1) 2,750	..	..
24	(2) 2,750 (3) 2,500 (5) 2,250 (6) 1,800 (8) 1,500	14	(2) 2,750 (2) 2,250 (2) 1,800 (8) 1,500	12	(2) 3,000 (5) 2,500 (5) 2,000	1	2,500	(j)	..
34	(10) 2,250 (11) 1,800 (13) 1,500	40	(12) 2,250 (13) 1,800 (15) 1,500	29	(9) 2,250 (10) 1,800 (10) 1,500	34(i)	(8) 2,250 (12) 1,800 (14) 1,500	19	(6) 2,250 (7) 1,800 (6) 1,500
..	..	..	..	..	..	..	..	..	..
(g) 1	1,250	..	..	1(h)	2,500—3,000	..	..	..	..
2	1,000	..	..	2	1,000	..	..	2	1,000
..	..	..	..	..	..	..	..	..	..
14	900	11	1,000	10	900	6	900	4	900
15	700	13	700	10	700	13	700	8	700
..	..	10	600	..	..	..	..	..	..
47	400—500	51	450—500	88	400—500	81	400—500	15	400—500
7	..	14	..	..	..	6	..	..	..
158	..	168	..	109	..	101	..	46	..

(g) Registrar of Chief Court.

(h) Inspector-General of Police.

(i) Includes Divisional Judges except the Senior Divisional Judge.

(j) Three District and Sessions Judges are graded with the Bengal cadre.

APPENDIX VIII.—*concld.*

DD.

Presidency or Province.	Collectors or Deputy Commissioners.							District and Sessions Judges, including Divisional and District Judges.							Joint Magistrates, Assistant Collectors and Assistant Commissioners.						
	Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 500 and over but below Rs. 700.	
		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage.	No.	Percentage.		No.	Percentage.	No.	Percentage.	No.	Percentage.
Madras	27	21	77·8	6	22·2	..	..	22	16	72·7	6	27·3	..	..	105	36	34	16	15·3	53	50·4
Bombay	29	13	44·8	15	51·7	1	3·5	18	9	50	9	50	..	..	92	17	18·5	18	19·6	57	61·9
Bengal..	39	12	30·8	13	33·3	14	35·9	30	16	53·3	14	46·7	..	..	90	17	18·8	17	18·8	56	62·2
United Provinces	54	19	35·2	21	38·9	14*	25·9	28	15	53·6	10	35·7	3	10·7	113†	15	13·3	27	23·9	71	62·8
Punjab..	34	10	29·5	11	32·3	13	38·2	24	10	41·7	6	25	8	33·3	76	14	18·4	15	19·8	47	61·8
Purma..	40	12	30	13	32·5	15	37·5	14	4	28·6	2	14·3	8	57·1	85	11	12·9	13	15·3	61	71·8
Bihar and Orissa	29	9	31·0	10	34·5	10	34·5	12	7	58·3	5	41·7	..	..	53	10	18·9	10	18·9	33	62·2
Central Provinces and Berar ..	34	8	23·5	12	35·3	14	41·2	1	1	100	..	..	..	..	50	6	12	13	26	31	62
Assam..	19	6	31·6	7	36·8	6	31·6	..	..	..	..	..	..	..	22	4	18·1	3	13·6	15	68·3

* Includes two hill Deputy Commissionerships which carry a pay of Rs. 1,000 each on account of their amenities.
† Includes City Magistrate, Lucknow, and an Assistant Judge on Rs. 800.

APPENDIX A.

Resolution of the Government of India, Home Department (Establishments), Nos. 1046—1058, *dated Simla, the* 19*th August* 1910.

The Governor General in Council has had under consideration the recommendation made by the Royal Commission on Decentralization at the end of paragraph 128 of their Report on the subject of framing rules for the recruitment of Provincial Services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor General in Council proposes to deal only with the Provincial Civil Services (Executive and Judicial). The case of other Provincial Services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the Provincial Civil Services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor General in Council has now decided to accept in substance the recommendation of the Decentralization Commission and is pleased accordingly to invest Local Governments with the power to make rules for the recruitment of the Provincial Civil Services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the enquiries made by the Public Service Commission, and the Governor General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows :—

I. The rules must be adopted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II. Every candidate for appointment by recruitment must furnish satisfactory evidence—

(a) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the Judicial branch; these excepted cases will be governed by article 51 of the Civil Service Regulations ;

(b) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility ;

(c) that he is of sound health, good physique, and active habits ; and

(d) that he is of good character.

III. Every person appointed to the Provincial Civil Service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or training to be unnecessary.

IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V. Admission to the Provincial Civil Service should usually be confined to persons who are Natives of the province, or have definitely settled in it; in the case of candidates who are not Natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. No Barrister, Advocate, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI. Europeans who are not statutory Natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII. The Local Government should reserve to itself the right to make promotion to the superior grades of the Provincial Civil Service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the Provincial Civil Services, and whenever the Government of India exercise this power in the case of Judicial officers, it will be confined to Barristers, Advocates or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

A.—Provincial Civil Service.]

IX. No member of the Provincial Civil Service shall be dismissed otherwise than on the result of a judicial or formal departmental enquiry.

4. The Governor General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this Resolution should be published by the Local Governments and Administrations as part of the respective provincial rules.

---

* Madras.	Punjab.
Bombay.	Burma.
Bengal.	Eastern Bengal and Assam.
United Provinces.	
† Foreign.	Public Works.
Revenue and Agriculture.	Commerce and Industry.

ORDER.—Ordered that a copy of this Resolution be forwarded to the Local Governments* and Departments of the Government of India† noted on the margin and to the Honourable the Chief Commissioner of the Central Provinces for information.

A. EARLE,

Offg. Secretary to the Government of India.

[A.—Provincial Civil Service.

APPENDIX—B.

Office.	Rate of pay in Rupees.	Number of appointments in each grade.													
		Madras.	Bombay.			Bengal.	United Provinces.			Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
			Presidency proper.	Sind.	Total.		Agra.	Oudh.	Total.						
Executive Branch.	800	3	..	..	2	5	..	..	4	3	3	4	2	1	27
Deputy Collectors in Madras, Bombay, Bengal, the United Provinces, and Bihar and Orissa. Extra Assistant Commissioners in the Punjab, Burma, Central Provinces and Assam	700	6	..	..	3	7	..	..	6	4	5	5	3	1	40
	600	8	..	..	7	16	..	..	12	5	10	12	6	3	79
	500	29	..	..	23	48	..	..	35	12	36	36	14	10	243
	400	32	..	..	23	71	..	..	53	24	36	52	23	14	328
	300	29	..	..	24	73	..	..	55	25 (a)	35	54	24	15	334
	250	30	..	..	..	79	..	..	58	40	..	59	14	16	296
	200	..	..	..	..	..	..	..	..	..	..	..	12	..	12
Total ..	..	137	..	..	82	299	..	..	223	113	125	222	98	60	1,359
Mámlatdárs ..	250	..	29	..	29	..	..	..	..	..	..	..	..	..	29
	225	..	34	..	34	..	..	..	..	..	..	..	..	..	34
	200	..	39	..	39	..	..	..	..	..	..	..	..	..	39
	175	..	45	..	45	..	..	..	..	..	..	..	..	..	45
	150	..	50	..	50	..	..	..	..	..	..	..	..	..	50
Total ..	..	..	197	..	197	..	..	..	..	..	..	..	..	..	197
Total (Executive branch) ..	..	137	..	..	279	299	..	..	223	113	125	222	98	60	1,556
Judicial branch.	1,000	..	..	..	..	6	..	..	..	..	..	2	..	..	8
Subordinate Judges (also called Judicial Extra Assistant Commissioners in the Punjab and District Judges in the Central Provinces in the grades of Rs. 500 and upwards).	800	4	3	1	4	12	3	2	5	3	1	6	2	..	37
	700	..	..	..	..	..	..	..	..	4	1	..	3	..	8
	650	5	4	1	5	..	7	3	10	..	..	..	..	..	20
	600	..	..	..	..	24	..	..	..	5	2	12	5	..	48
	500	9	8	1	9	..	9	7	16	12	8	..	5	..	59
	400	..	..	..	..	..	..	..	..	12	8	..	17	..	37
	300	..	..	..	..	..	..	..	..	12	9	..	16	..	37
Total ..	..	(d)18	15	3	18	(b)42	19	12	31	48	29	(b)20	48	(b)	254
Munsifs (also called Subordinate Judges, 2nd class, in Bombay).	500	..	..	..	..	12	..	..	..	..	..	..	..	..	12
	400	33	19	2	21	61	22	8	30	..	..	20	..	..	165
	300	33	22	4	26	70	24	8	32	..	..	19	..	..	180
	250	33	..	..	..	66	..	..	..	..	..	19	..	..	118
	200	29	36	5	41	36	22	10	32	..	..	10	..	..	148
	175	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	150	..	12	3	15	..	..	..	..	..	..	..	..	..	15
Total ..	..	(c)128	89	14	103	(b)245	68	26	94	(c)	(c)	(b)68	(c)	(b)	638
Total (Judicial branch) ..	..	146	104	17	121	287	87	38	125	48	29	88	48	..	892
Grand Total ..	..	283	..	..	400	586	..	..	348	161	154	310	146	60	2,448

(a) This grade is common to both the Judicial and Executive branches.

(b) The Subordinate Judges and Munsifs employed in Assam are included in the Bengal cadre, and both that cadre and the Bihar and Orissa cadre have been shown above in accordance with the scale proposed by the Calcutta High Court. This matter is under discussion in connection with the recent territorial changes.

(c) Munsifs in the Punjab and the Central Provinces and Judicial Myooks in Burma belong to the Subordinate Judicial Service, and are paid at rates ranging from Rs. 150 to Rs. 250 a month.

(d) Includes four appointments which have been added since the last general reorganisation in 1884.

(e) „ three „ „ „ „ the revision of the grades in August 1911.

B.—Indian and Provincial Civil Services.]

B.

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive branch or to the Judicial branch.]

INDIAN CIVIL SERVICE.

1. What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3) as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only, and the term is so used throughout these questions.

4. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

5. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?

6. In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England open in both cases to all natural-born subjects of His Majesty?

7. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?

8. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

9. If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?

10. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?

11. Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.

12. Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.

13. If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?

14. What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?

15. What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?

16. What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?

17. Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.

18. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?

19. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?

[B.—Indian and Provincial Civil Services.

20. Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?

21. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method or recruitment would you recommend?

22. If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?

23. Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?

24. What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?

25. Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?

26. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

27. Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?

28. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?

29. Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?

30. If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?

31. Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

32. Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?

33. Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

34. Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

35. Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

36. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

37. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?

38. Do you recommend any special course of study in law in India for officers selected for the Judicial branch?

39. Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details.

40. Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

41. If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.

42. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

B.—Indian and Provincial Civil Services.]

43. Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions?

44. Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.

45. Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

46. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

47. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?

48. Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?

49. Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

50. Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.

PROVINCIAL CIVIL SERVICE.

51. Please refer to Government of India resolution No. 1046 – 1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as appendix A.* Are these conditions suitable, or have you any recommendations to make for their alteration?

52. In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?

53. Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?

54. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

55. Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?

56. Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.

57. To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?

58. Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?

59. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

60. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

61. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

62. Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

63. Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?

64. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?

65. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

---

* Vide page xxxv.

ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

ON THE

PUBLIC SERVICES IN INDIA

At Lucknow.

Monday, 31st March 1913.

FORTY-SECOND DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
HERBERT ALBERT LAURENS FISHER, ESQ.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners :—

WILLIAM TUDBALL, ESQ., I.C.S., Judge of the High Court of the North-Western Provinces.
RAI BAHADUR PANDIT KANHAIYA LAL, M.A., LL.B., Second Additional Judicial Commissioner, Oudh.
KHAN BAHADUR MAULVI MUHAMMAD FASIH-UD-DIN, Deputy Collector, Kashipur, Naini Tal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. (*Joint Secretary*).

DUNCAN COLVIN BAILLIE, ESQ., C.S.I., I.C.S., Senior Member, Board of Revenue.

Written answers relating to the Indian Civil Service.

42043. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Whilst I do not regard selection by open competition as theoretically an ideal system, I consider that in actual working it is more likely to be under present conditions effective than any other system of selection. I therefore accept it as generally satisfactory in principle.

42044. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Any alterations I would suggest are subsequently noted under the detailed questions following

42045. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I consider that the system is suitable for the admission both of Natives of India and of all other natural-born subjects of His Majesty. I have in this respect no alterations to recommend.

42046. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—I would propose no differentiation between any classes of natural-born subjects of His Majesty.

42047. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I do not consider that the combination of the open competition for the Home and Colonial Civil Services with that for the Indian Civil Service is disadvantageous to the Indian interest. If the candidates who pass highest select the Home Civil Service, it is due to the fact that the Indian Civil Service is, to some extent, less attractive than it used to be for the class of candidates whom we desire to recruit for India. I do not fear the competition either of the Home Civil Service or of Colonial Civil Services, and the combination has the

advantage of opening a considerably larger number of vacancies to candidates.

42048. (6) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:— (*a*) selection by head masters of schools approved or otherwise: (*b*) selection by authorities in Universities approved or otherwise: (*c*) nomination by head masters or University authorities and selection under the orders of the Secretary of State: (*d*) combined nomination and examination: (*e*) any other method?—I should regard a system of selection under the orders of the Secretary of State in view of University qualifications and other considerations as the ideal system of selection if such a system could be worked without fear of personal bias or class or local prejudices: but I do not in the past history of any such system of selection find sufficient reason to believe that the ideal conditions would be secured. For this reason, as already stated, I regard selection by open competition as, for the present, the most satisfactory. I do not doubt that to do away with the system of open competition would cause serious and probably not unfounded discontent amongst *classes* from whom valuable recruits for the Service are now found.

42049. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am against the system of simultaneous examinations in India and in England. I believe that such a system would tend largely to increase the Indian element in the Service and that it would not give, as a rule, the class of Indian whom it is desirable to recruit, and would give undue preference to certain classes of His Majesty's subjects in India. It has to be kept in view that the population of India is heterogeneous to an extent which it is difficult for a European to realise, and that in this province, at least, for the great mass of the population a Madrasi or a Bengali is as much a foreigner as a European. I consider that the time has not yet come at which it would be either beneficial to, or approved by the mass of, the population in this province to substitute, to any considerable extent, Natives of India for the imported European officer who has in his favour the trust which a hundred years' experience of the attempts of the British Government to rule fairly and well has inspired. I have not in the working of the Indian Legislative Councils found any reason to believe that national interests are preferred to class interests. The great bulk of the population has still no representatives in the Legislative Council, and would have no representatives amongst the Indians of the Civil Service recruited by competitive examination unless a Service feeling and independence of judgment dictated by a predominant European element replaced natural class prejudices. I do not think that a competitive examination, even if a certain number of representatives were secured by rule to these provinces, would give the Service a due representation of the classes which in existing circumstances it is desirable to associate in the government of the country.

42050. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's dominions?—I would have only one examination as at present conducted.

42051. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I have already under question (7) given my reasons for disapproving a system of recruitment by competitive examination in India. I think the objection applies even to a provincial examination, as is shown by the fact that the Government considered it necessary to discontinue recruitment by competitive examination for the Provincial Service. The successful candidates even in a provincial examination tend to come to too great an extent from certain classes.

42052. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of any system by which Natives of India would be admitted in India to the Civil Service as such. The conditions attaching to the Service in the Indian Civil Service are designed to attract Europeans of the best class, and have to be made attractive enough to draw such Europeans away from their own country and to spend their lives in a country in which the conditions of service are not in all respects attractive. To recruit Indians in India for the same Service and on the same conditions would be to introduce great inequality in favour of Indians. I would give room so far as may be at present expedient for Indians to rise to high appointments by increasing the number of appointments open to selected members of the Provincial Civil Service. I would allow a member of the Provincial Civil Service, once admitted to a reserved appointment, promotion as if he were a member of the Indian Civil Service. It is not possible in India to provide for the representation of all classes and communities, as the classes and communities to which the great bulk of the population belongs are not sufficiently educated to take their place in Government service. Amongst the educated classes I think that all classes are entitled to have representatives in the service of Government; but for the most part the superior servants of Government should come from those classes who have a hereditary aptitude for the government of the country.

42053. (12) Would you regard any system

of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—I would, as already remarked, increase the number of higher appointments open to officers of the Provincial Civil Services.

42054. (13) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend any separate system of recruitment for the Judicial branch of the Indian Civil Service. I join issue with those critics of the Judicial members of the Service who assert that the Civilian Judges are as a whole in any way inferior to Judges otherwise recruited.

42055. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I think that on the whole the best age to select young Civilians is 19 to 21. I fix this period because I think that they should be 23 or 24 years of age before they come to India and have at least two years' probation at home. The recruits who came to us under the 17 to 19 years' rule were often too young for the responsible work even a junior Civilian has to undertake, whilst if they come at a later age a certain proportion are likely to be unable to settle down to life in India with the zest which is necessary in a good officer. I have in view also the hardship imposed on unsuccessful candidates who, having set their minds on an Indian career, find themselves rejected at the age of 24 as under the present rules.

42056. (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—I cannot say that there is any marked or obvious difference between the general quality of the recruits under the different regulations. I think it is probable that the small proportion of men who are discontented with Indian conditions of life is larger amongst those recruited at a later age, and it seems certain that there are more of them who fail to adapt themselves to the outdoor life an Indian Civilian in the Executive Service has to lead. The increase in the popularity of the Judicial branch of the Service is some evidence of this and the Judicial Service has benefited accordingly. Whilst recruitment was from 17 to 19, volunteers for Judicial Service were rare and this branch of the Service suffered. There is now, with the older men who are coming out, no difficulty in obtaining a due proportion of men who prefer Judicial work.

42057. (17) What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I regard the majority of them as suitable. There are no doubt some who are not up to standard, but there has been no time at which this could not be said. As I have said before, I think a larger proportion of them dislike Indian life.

42058. (18) What is the most suitable age at which junior Civilians should arrive in India?—Twenty-four. A recruit is not then too young to do responsible work, and having during the years of probation his aspirations fixed on an Indian life he is likely to adapt himself to Indian conditions.

42059. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—No differentiation in the age for Indian and European candidates. The higher the age, up to a certain limit, the more Indian candidates are likely to succeed, as many of them ordinarily take their degree in India before going to England to study for the Service.

42060. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee and think it should still apply. Candidates should specialise after and not before selection.

42061. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—I would have no differentiation of subjects for Indian and European candidates. The syllabus of subjects should be wide enough to allow Indians fair prospects of success without taking up classics.

42062. (23) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict. c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict, c. 54) and of the Government of India Act, 1870 (33 Vict, c. 3), reproduced as Appendices II and III to these questions.].—I do consider it necessary that certain posts should be reserved by Statute for officers recruited for the Indian

Civil Service, though, as I have already stated, I would increase the number of reserved posts open to Indians who do not belong to the Service.

As regards the reservation by Statute, I would not alter the existing system. Unless appointments are so reserved it will be believed that there would be a danger of Civilians being crowded out. The result would inevitably be a depreciation in the quality of candidates who present themselves.

42063. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I consider that in present circumstances it is undoubtedly for the good of the country that there should be a minimum proportion of Europeans employed in the higher posts of the civil administration in all its branches. For our Executive Service this proportion should undoubtedly be high, certainly not less than 90 per cent. In the Judicial Service it might go as low as 60 or 70. In saying this I do not in any way mean to reflect on the capacity or integrity of the Indians who are now associated with the members of the Civil Service in Government service, but I regard it as undoubted that in this part of the country a European enjoys, as an officer of Government, considerable advantages over an Indian. He is recognised as of the ruling class. He is known by the most ignorant to be free from sectarian or local prejudices. He is trusted as the guardian of their rights by the cultivating classes who form the bulk of the population. It is invidious to make comparisons, but I am honestly of opinion that the Government of India cannot be successfully carried on without a high proportion of Europeans in the controlling appointments. I do not consider that any great reduction of the proportion of Europeans would be regarded with favour by the mass of the population.

42064. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—I accept as generally satisfactory the present system of recruitment as regards Natives of India, though I think that the time has come when a larger proportion of higher appointments may be offered to them.

42065. (26) Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.—There are now twelve Indians in these provinces recruited for the Civil Service by means of open competition. The Commission has no doubt had the list placed before them in other answers.

42066. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The system of appointment of Statutory Civilians was in these provinces a failure. A few good men were obtained, but the Statutory Service as a whole was undoubtedly far below the standard of the Indian Civil Service.

42067. (29) What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter.—There were when I came to these provinces three Commissions in which military officers and others were associated with Civilians:—(i) The Oudh Commission: (ii) the Jhansi Commission, and (iii) the Kumaun Commission. There are none now left in these provinces filling posts ordinarily reserved for the Indian Civil Service.

42068. (31) If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—I would not advise the re-introduction of the system. Whilst, as I have said, there were amongst them many officers of which any service might be proud, the proportion of failures and of men not up to standard was larger than amongst Civilians.

42069. (37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The system by which the inferior listed posts are merged in the Provincial Civil Service has the advantage of allowing the Government a wider field for the selection of men for the superior posts without causing dissatisfaction amongst men who would consider that they have been superseded by such an appointment. The work done by inferior listed officers is the same as done by members of the Provincial Service and it is better that the Government in selecting a man for a district or other superior appointment should not be prejudiced by the claims of men already shown as Joint Magistrates.

42070. (42) Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.—There is one point I may note here that in my opinion Indians who have entered the Indian Civil Service by open competition in England are on the whole likely to be better officers of Government than those recruited in India. They have gained something in knowledge of the world and

independence of character and in self-reliance, as well as in popular estimation, which regards them as having achieved something that the man recruited in India has not done.

42071. (43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I think that a course of instruction as a probationer in England is absolutely essential.

42072. (44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—I consider that the course of probation should not be less than two years.

42073. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—I consider the probationers should be required to spend a period of probation at an approved University.

42074. (46) If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—I would advise the selection of one or more Universities for this purpose. I consider it essential that the University selected should be able to provide instructors of the best class in all special subjects in which probationers have to study, and that as large a number as possible of the probationers should be associated together in these studies.

42075. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.—Undoubtedly. I consider that the payment to probationers should not be less than £200 a year and that the only conditions attaching to the grant of the allowance should be due attention to their studies and good conduct.

42076. (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—On the whole I consider that residence at the selected University would, if all requirements as regards control and instruction were fulfilled, be preferable.

42077. (50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I accept the principle laid down by Lord Macaulay's Committee as applicable to all selected candidates.

42078. (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I regard compulsory attendance at the Law Courts in England and reporting of cases as essential. However good a knowledge a young Civilian may have of the Law of Evidence and Procedure, he fails in applying that law unless he has had an opportunity of seeing it applied. I would make all the subjects mentioned, except Accounts, a part of the probationer's course.

42079. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

42080. (54) What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—As I have already said, I consider that residence at a University would be preferable.

42081. (55) What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I greatly prefer that the period of instruction should be in England and that a man appointed to the Indian Civil Service should arrive in India with a thorough grounding in the subjects mentioned in question (52) with some knowledge of the actual working of the Law Courts in England, and that his further preparation for his work should, as at present, take place after he has been attached to the staff of a district.

42082. (56) In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I agree with the report of the Treasury Committee.

42083 (59) Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—I do not consider that any differentiation is necessary.

42084. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—

I am satisfied with the present arrangements.

42085. (61) Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—The existing system of departmental examinations appears to me suitable. They have in these provinces been recently amended to secure a better knowledge of Law. This change was made necessary by the fact that the single year's probation now allowed does not send young Civilians to India with at all as good a grounding in Law as is desirable. With a longer period of probation and a more thorough course of instruction at home the departmental examinations might well be curtailed for Civilians.

42086. (62) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I do not consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. The men who in my experience knew least of the vernacular were pre-competition men. I do not, however, think that an Indian Civilian's knowledge of the vernacular is as good as it might be. This is to a considerable extent due to the fact that an Indian Civilian in the course of his work neither reads nor writes the vernacular. His conversation is consequently wanting in grammatical accuracy. A change in the system of working in this matter is impracticable, as no European could read or write the vernacular at the pace required to keep work going. I think however that a much better knowledge of the vernacular could be acquired by Europeans if they went through a considerably wider course of reading of Indian books in the Roman character than they now can, whilst the words are concealed in characters which to the last remain difficult and unattractive to a European. They should of course have some knowledge of the Indian characters; but they would know the vernacular better if they did a more extended course of reading than they can do now, whilst facility of interpretation is curtailed by the character in which the language is written.

42087. (63) Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—I would make the study of either Sanskrit or Persian compulsory. A knowledge of either language is of great use to an Indian Civilian.

42088. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of Law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in Barristers' chambers or other), and what conditions do you propose?—I would make the course of study in Law by an Indian Civilian during his period of probation fully equivalent to that implied by a call to the Bar. I do not think that this is impracticable: not a few Civilians have in the past gone through the course for a call to the Bar during their period of probation, and if two years is too short for the work to be done the period of probation might be lengthened.

42089. (72) The present theory underlying the conditions of service in the Indian Civil Service is that (*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the system as defined in the question.

42090. (73) It is also part of the existing system that officers of over two, but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—I accept this as a suitable arrangement.

42091. (74) Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and if so, what, has been caused thereby to the Administration.—It appears unnecessary to set out the names in detail as, so far as I am aware, no junior officer in these provinces has obtained promotion in accordance with the principles set out during the past five years. The result has been considerable dissatisfaction amongst the men whose promotion has been delayed, reacting on the recruitment for the Service in England.

42092. (76) Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—I have no suggestion to make. The number of superior posts are from time to time altered as the needs of the Administration may prescribe.

42093. (88) To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service

differentiated? Is any change desirable and, if so, in what directions?—I do not consider that any change is desirable. I do not think that the outcry on this subject has valid foundation in reason or in fact. The working of the magisteria. courts requires constant supervision to secure prompt disposal of business before them, and I believe that this supervision is given satisfactorily by District Magistrates without prejudicing the judicial independence of the courts. Certain Judicial functions are exercised in these provinces by the Executive staff as judges between landlord and tenant. These courts were constituted to secure prompt and inexpensive disposal of such cases and I can imagine no greater misfortune for the cultivators of the country than the civil courts taking over this work.

42094. (95) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—It seems useless to maintain in perpetuity an arrangement introduced to provide for variations in the value of the rupee. I would abolish it with compensation in the form of increased salaries.

42095. (96) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—The number of persons in the Civil Service who now draw no exchange compensation is not large and I would make the increase paid applicable to all alike.

42096. (97) How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—In India appointments involving increased responsibility involve increased expenditure, and I consider that the system of allowances to officers appointed to officiate in such appointments should continue.

42097. (98) How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?—For appointments in which there is no change of duties, grade promotions work unevenly and frequently lead to disappointment and recoveries of amounts overdrawn. I think that instead of grades in appointments which only nominally differ in duties, a time-scale of pay would be better. It would cause less difficulty in the Secretariat and be fairer for officers.

42098. (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I think that a time-scale of salary is suitable for application in all appointments in which there are different grades of rates of pay, the duties remaining the same, that is to say, I would apply such a system not only for Assistant and Joint Magistrates but also for the different grades of district officers.

42099. (100) As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—That is the system I have suggested under question (99).

42100. (101) What is your experience of the practical working of time-scales of pay in other Indian services?—My experience of the practical working of the time-scale of pay is confined to the Opium department. I was formerly the Opium Agent in Benares. The drawback of the system is that promotion by selection becomes impracticable. This objection would not apply in a system in which the time-scales are separate for appointments implying different classes of work.

42101. (102) If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive branches of the Service is different?—I can see no insuperable difficulties. Increment would come as a matter of course to men whose work did not call for censure. Promotion to superior appointments would be by selection with due regard to seniority. Charge allowances would remain when an officer in a lower appointment is officiating in a higher one. I would assimilate the time-scale of pay for the Judicial and Executive departments providing in the Judicial certain selection grades to compensate for the higher selection appointments in the Executive.

42102. (103) If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—I do consider that it is desirable that all members of the Indian Civil Service should have the prospect of rising to posts of independent responsibility within a fixed time. I do not see that the difficulty connected with the recruitment of junior officers is altered by the introduction of the time-scale of pay.

42103. (104) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—Yes, I think the existing arrangements fair.

42104. (106) Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Since combined leave was introduced there is no doubt that a larger number

of officers take six months' leave. Long furlough is, I think, less common than it used to be when the voyage to England was more troublesome, and in all probability many officers are prevented from going on long furlough by want of means. The officers of the Service are by no means so well off as they were twenty years ago.

42105. (107) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I myself did not take all the leave on full pay that I could have taken. This was for financial reasons as leave of any kind is expensive for a married man.

The Service would greatly welcome an arrangement by which a smaller amount of leave on full pay could be taken instead of a larger amount on furlough pay. It is possible that this would imply some extra expenditure to Government, but the advantage to the Service would be very considerable.

42106. (108) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Some officers take all the furlough due to them but the majority do not do so. Cutting down the amount of furlough permissible would be regarded as a grievance by many unless some concession were made in the increase of leave on full pay permissible. Reasons of health frequently make it necessary for officers to take the full amount of furlough available.

42107. (109) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I have no alterations to suggest.

42108. (110) Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—I have no change to suggest.

42109. (111) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—I consider that the maximum and minimum limits are suitable. I would have the rates in sterling and in rupees the same.

42110. (118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—The present system of equal annuities is generally accepted as satisfactory for the great body of the members of the Indian Civil Service, but it is not fair to those members of the Service who receive more than average promotion that the excess payments by them should have the effect of reducing the Government contribution below that given to a man who has had average promotion.

42111. (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—A non-contributory system of superannuation pensions would not, in my opinion, be preferable.

42112. (120) Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what and for what reasons?—My answer to this question is suggested by my answer to question (118). The contribution by Government to the pay of any officer should not be less than the average contribution now made.

42113. (121) In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of 1,200*l.* a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—I recommend no change.

42114. (122) Do you consider that a similar system should be applied to the cases of high Executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.—I do not think that there is any doubt that officers who have risen to the rank of Lieutenant-Governors or to other appointments on pay equal to or higher than that of Judges in the High Court, should receive increased pensions.

42115. (124) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I do. The scale of such pensions might be made lower than that allowed for officers invalided before completing their service.

42116. (125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I have no alterations to suggest.

42117. (129) Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The only suggestion I have to make is that the age of 21 is nowadays too low for the pensions to sons to cease. The cessation of such pensions at 21 contrasts with the age at which candidates are now selected for the Civil Service.

42118. (130) In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I do not see how, with reference to social conditions, Indian members of the Service could be admitted be the same fund as Europeans unless they happened to be Christians.

Written answers relating to the Provincial Civil Service.

42119. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have no recommendations to make.

42120. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—The system I would recommend is that of nomination by a local authority with selection by the Local Government or some other central authority. I attach importance to the nomination by local officers, Commissioners for choice, because, I think, it works more fairly than the present system by which too many of the appointments are made directly by Government without previous nomination. I have already in my answers regarding the Indian Civil Service said that I do not consider a system of selection by competition suitable for these provinces. There is in these provinces a Subordinate Provincial Service consisting of tahsildars and naib tahsildars and of officers of corresponding rank in other departments. They are recruited from the same classes as those appointed directly to the Provincial Civil Service. Their duties are responsible and important and it is of the highest importance that we should have for these duties men of the very best class. The educational qualification now required is only the Entrance degree, but I consider that there would be no difficulty to raising this qualification to the B. A. if it were clearly understood that a large proportion of the promotions to the Provincial Civil Service were to be made from amongst them. At present they get about one-half of the appointments to the Executive branch of the Provincial Service, but there is nothing to secure that they get even this proportion of appointments. I consider that the training they undergo as tahsildars is of value to them subsequently as officers of the Provincial Civil Service and I should like to see the bulk of the officers of the Provincial Service recruited from among tahsildars, the educational qualifications being raised as above suggested.

42121. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—I consider that only residents of the province should ordinarily be recruited and this is to all intents and purposes now the case.

42122. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All classes and communities cannot be represented in the Provincial Civil Service as the bulk of the population of the province is uneducated. For selection of candidates, both for the superior and the Subordinate Provincial Service, care is taken to allow representation of all classes of the educated community. I do not think that any special arrangements are necessary to secure this object. It is a matter which, in selecting candidates for employment, the selecting officers invariably keep in view.

42123. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—I have no alterations to recommend.

42124. (10) Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—I consider the existing system of departmental examinations suitable.

42125. (11) Do you consider that any change should be made in the classes of officers and appointments at present included in your Provincial Civil Service?—I have no change to suggest.

42126. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—In the Provincial Service, as in the Civil Service, some provision for compassionate allowances to officers compulsorily retired would tend to secure that inefficient officers would be more rigidly retired.

42127. (18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—I have no change to suggest. I regard the present system as suitable.

42128. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I regard the present system as suitable.

42129. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—On the whole for the Provincial Civil Service I prefer the existing graded system of promotion, as it permits of accelerated promotion being given to officers of more than average value.

42130. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I think that some such system is in every way desirable. The reduced pension should be somewhat lower than that allowed for officers invalided.

MR. D. C. BAILLIE, called and examined.

42131. *(Chairman.)* You are Senior Member of the Board of Revenue of the United Provinces?—Yes.

42132. And you have had thirty-three years' service?—Yes.

42133. Has that service been mainly confined to this province?—Almost entirely confined to it. I was once in the Punjab on a committee, but the rest of my service has been in this province.

42134. You consider that the ideal system of recruitment would be by selection under the orders of the Secretary of State, but you do not find sufficient reason to believe that the ideal conditions would be secured, and therefore you accept the present system of open competitive examination?—I do.

42135. You also consider that system suitable for the admission of Indians?—I do.

42136. You admit that they suffer a hardship in being compelled to go to England from India for the examination?—To a certain extent there is a disability.

42137. And you think that the time has come when a larger proportion of the higher appointments may be offered to Indians?—I do.

42138. But you are not in favour of any system by which Indians would be admitted either by a simultaneous examination or by any supplementary examination in India. You would prefer to increase the number of appointments open to selected members of the Provincial Civil Service?—That is so.

42139. You would also keep such officers, as now, out of the Civil Service?—Out of the Civil Service, but ranking with the Civil Service for promotion after their admission to listed appointments.

42140. Do you mean that an officer could be promoted to the higher posts?—Yes, always supposing that the higher posts were listed.

42141. You would always maintain the distinction as now between the listed post officer and the Indian Civil Service officer?—No. Once a man is admitted to a listed post I would not maintain the distinction except as regards certain posts, none of which would be included in the listed appointments. For instance, if an officer of the Provincial Service was admitted to the post of a District Magistrate I would allow him to go along for promotion with the District Magistrates of the same standing to a Commissionership or to the Board.

42142. Would you allow him the same salary as his colleague in the Indian Civil Service?—I do not think that is called for. The present distinction is not in any way invidious, because the expenses of a European are proportionately very much greater than the difference in the pay. Comparatively the pay for the European is much less than for the Indian.

42143. You do not think it would engender a feeling of discontent if an officer, carrying out the same work in one of those posts, was paid less than his colleague?—I do not see why it should if it is a fair arrangement. From my experience of those Indians who have been District Magistrates I do not think they regard it as a reason for discontent.

42144. We have been told that officers at present come into these listed posts too late in life when their energy has to a certain extent diminished, and when there is little opportunity of their rising higher. Do you agree with that opinion?—When we had the Statutory Civil Service that was not the case; they came up for promotion at very much the same time, not materially later, than the Europeans. Outside the Statutory Service we have had very few men who have come up so far; only one or two.

42145. In those instances have they come up rather late in life?—I think so.

42146. At what age would you yourself select officers from the Provincial Service for the listed posts?—As soon as the man had attained the seniority that the Civilian would have and demonstrated his fitness for selection. I would leave it open to the Government to select him without regard to the fact that there were other men not selected senior to him in the Service.

42147. If there was a man of exceptional merit would you regard service of ten years as sufficient for promotion to a listed post?—I would, if a period of ten years was the period at which a Civilian would ordinarily get a corresponding post.

42148. Do you see any danger to the vested interests of members of the Indian Civil Service in the enlargement of the number of listed posts?—Undoubtedly to the men at present in the Service.

42149. How would you get over that difficulty?—A certain number would retire if favourable pension terms were allowed them.

42150. If you were to postpone, as has been suggested to us in other provinces, the promotion until vacancies occurred, and so not disturb the cadre of the Indian Civil Service, would not that mean delaying the admission of Indians rather indefinitely?—As things now stand, it would delay it very greatly.

42151. If you did not postpone it until that occurred, it would cause considerable dislocation in the cadre of the Indian Civil Service?—It would. The junior men have had a very bad time so far, and this would make it infinitely worse.

42152. Would not an independent scheme of examination and nomination enabling Indians to come in at the bottom of the Indian Civil Service cadre remove that difficulty?—It would remove that difficulty, but there appear to me to be other objections to it.

42153. Could you tell us briefly what you regard as the objections to such an alternative course?—That means admission to the Indian Civil Service by some method of selection in India which is the point raised by the other questions.

42154. What would be your main objection to such a course?—I do not think that a system of selection without previous trial would enable us to get the men that we want in this province.

42155. But assuming that, coupled with the examination in India, there was a probation of two or three years at a University in England, would not the Indian recruit enter the Service on practically the same terms as he now does by the competitive examination in England?—I think the men should be tried in their appointments.

before they are admitted to listed posts, and that they should be tried in the Provincial Service.

42156. I see you prefer to lower the age-limit to 19—21?—Yes.

42157. You have no complaint to make against recent recruits, but you think there is a larger proportion of older men who do not settle down to their life in India and who are somewhat discontented with Indian conditions?—Yes.

42158. Why do you suggest 19—21 in preference to the school-leaving age of 17—19?—I thought that a good many men who were selected at 17—19 and had two years' probation came out too young to settle down seriously to work.

42159. Would not your age interfere with the University career at home?—It might. I propose that he should go to a University after selection, and he might complete his reading for his degree then. The first interest is the interest of the Service.

42160. Do you regard it as of importance to the Service that a young Civilian should go through a University course?—Yes. After selection he should go to a University or a special college. I prefer the University on the whole.

42161. But your age would make it difficult for him to take an Honours Degree?—Yes.

42162. You would prefer to sacrifice that to having him pass at the age of 17—19?—Yes.

42163. You are not impressed with the alleged failings of Civilian Judges, but I gather you admit the necessity for a better training in Law?—Yes.

42164. Can you tell us from your long experience what particular advantages a Civilian Judge enjoys over a Barrister or Pleader Judge?—I think the Civilian who has had a training in the Executive department is to some extent more in touch with the feeling amongst the masses of the population than any person who has practised as a Barrister or as a Pleader. He has learned to deal with the people themselves.

42165. You think that the training he has had in the districts is of value to him?—Yes, as a Judge.

42166. That is the main reason why you would prefer him to a Barrister Judge?—I have not said that I prefer him, but I regard him as not in any way inferior to the Barrister Judge, and with certain advantages owing to his practical knowledge of the country and the conditions of the country.

42167. After how many years would you like to see a member of the Civil Service elect for the Judicial line?—Not less than six or seven years' actual district work in the Executive department, much as at present. A man gets charge of a Judicial appointment at about the same time as he gets charge of a district.

42168. You have no suggestions to make about the superior posts. Reading through your list there would appear to be four Settlement officers, one Deputy Collector of Land Records, and one Registrar of Co-operative Credit Socioties, who draw the salary of their grades plus a special allowance of Rs. 150 a month. In the other provinces, where the same arrangement is in force, we have found that in practice the Local Government has for administrative reasons been appointing junior officers, whose grade pay is less than Rs. 1,000 a month, as Settlement officers, so that these appointments are not really superior in practice, and the result of course is a serious block in promotion. Can you tell us if there is any trouble of that character in this province?—I think not. At one time more or less junior men were appointed as Settlement officers, but at that time the promotion in the regular line was very good indeed. We now take men as Settlement officers much of the standing of those who are just getting charge of a district.

42169. So that they practically attain the position of Rs. 1,000? They have passed probably from the position of drawing Rs. 1,000.

42170. And as a result you have not a block in your Service to the extent that some other Services have?—The block in the Service is serious. Of course the removal of a certain number of Settlement officers is only a palliative. We have at present only two Settlement officers in the province, both of whom I think are men who would be in charge of districts if they were not in charge of settlements.

42171. Would they both be occupying superior posts if they were not in charge of settlements?—Looking at the Civil List I find that the senior man would be in charge but the junior man would not be in charge of a district.

42172. Therefore to that extent you are creating a block which would not occur if a senior officer were appointed?—We are not creating a vacancy that would have occurred if a senior officer had been appointed. A Settlement officer must not be too senior; he must be a man prepared to spend the whole day in the saddle.

42173. That is the practical difficulty in the way of appointing a senior officer?—Yes.

42174. But you would admit that by appointing a junior officer there must inevitably be an increased block in the Service?—I would have a man of 10 to 12 years' standing as Settlement officer, because he has not lost his activity and he has got the experience we want. It helps in promotion.

42175. You consider that grade promotion works unevenly for appointments in which there is no change of duties. We have been told in other provinces that promotions of this sort, and also reversions, are made by the Accounts department several months after the event, often necessitating the refunding of large sums by the officers?—It constantly occurs that a man at the end of the hot weather reverts from his officiating grade appointment, and the reversion is gazetted after some delay by the Secretariat; the Accountant-General then proceeds to recover what may be a considerable part of a month's pay.

42176. Causing also a good deal of trouble in the Accounts office?—Yes, and a lot of annoyance to the men who have reverted and have to refund pay already drawn.

42177. You propose a time-scale to mitigate some of these evils, and I take it you propose what is ordinarily known as a compartment time-scale with selection operating between each compartment?—Yes.

42178. And you think that a scheme of that character, whilst it will ensure a steady increase of salary, will at the same time not stand in the way of that amount of efficiency which is necessary for the Service?—I do. Promotions in the grades come almost as a matter of course. The reasons that would stop a man's promotion in the grades would be reasons for stopping increments.

42179. In your answer to question (107) you press for an arrangement by which a smaller amount of leave on full pay could be taken instead of a larger amount on furlough pay. Would you be more explicit as to what you want?—I should like to see a man able to take up to six months' leave on full pay, giving up double the amount or whatever it may be calculated to be of leave on half pay.

42180. Do you consider on the whole that the Provincial Civil Service in this province is adequately paid?—I do not consider it is adequately paid. I would allow the maximum pay to rise higher. There is a most disproportionate number of appointments on the lower rates of pay and a large number of men do not hold substantive appointments at all. A man has to be officiating or a probationer for years before he gets a substantive appointment and then there is a very long list of the lowest grade of Rs. 250. The Service should be regraded and a larger number of appointments created, so that the officiating period would be shorter.

42181. You do not suggest a time-scale for the Provincial Service?—No.

42182. Why do you not suggest a time-scale for the Provincial Service as you do for the Civil Service?—Because the promotion from grade to grade is always carefully considered for each appointment. A man gets his grade promotion when the Government are satisfied that he has earned it, and I think it is a good thing that this should continue.

42183. Could not that be carried out with even greater regularity on the compartment system? Have you not a more or less irregular time-scale now, whereas by the introduction of a time-scale with compartments you would get regularity?—There is no change of duty throughout the range of the appointments held by the Provincial Service in the regular line. It would be possible to make compartments.

42184. You mean that the officer in the inferior grade is doing exactly the same work as the officer in the superior?—He does exactly the same work.

42185. Is not that rather an argument for regularity of increment?—If it is regularity of increment the man who has worked most brilliantly can get no advantage. At present he would be picked out for special promotion. The man who has not deserved well does not get his grade when it comes. The result is that a man who has done better work gets that step and the good men at present benefit at the expense of those who are not so efficient. They could not do so if there were a time-scale.

42186. Not by a scheme of selection?—If it were a time-scale running throughout the Provincial Service one man could not benefit in any way by promotion being withheld from another. Each man would get his time-scale promotion.

42187. And provided he was carrying out his work satisfactorily it would be right that he should?—Yes, but some of them should get more and some should get less.

42188. (*Lord Ronaldshay.*) I should like to understand what steps would be necessary in order to put your scheme of promoting men from the Provincial Civil Service into practice. How would you start about setting your scheme into operation? I suppose the first thing you would do would be to decide how many additional superior posts should be opened to members of the Provincial Service?—Yes.

42189. Having done that, I suppose you would reduce the number of vacancies open to competition through the Indian Civil Service examination by that amount?—Yes; it would have to be allowed for in the recruitment of Civilians.

42190. How soon do you think you can pick your man from the Provincial Service for promotion?—The real promotion comes when there is a difference of duty, when a man takes charge of a district. Up to that time the duties of a Joint Magistrate and a Deputy Collector are the same.

42191. How long do you think you would have to watch the work of the Deputy Magistrate before you could come to a conclusion that he was a fit man to promote to a superior post?—It would be ten years before a Civilian would be eligible for a change in duties, or would be at all likely to get his district; and that would be the period during which a man in the Provincial Service could approve himself.

42192. By the end of ten years therefore you would have your Provincial Service man ready to promote to a district charge?—Yes.

42193. The Chairman suggested to you that if that was the scheme adopted it would mean a lapse of some eight or ten years before this promotion would be given?—It would mean a lapse of some years. It would mean, it appears to me, exactly the same as if you started at the bottom now.

42194. If you were to adopt a suggestion which was thrown out by the Chairman, of recruiting a certain number of Indians by means of a separate examination in this country, it would in their case also be some eight or ten years before they could be given a superior post?—Yes, the result would be the same.

42195. As far as that point is concerned there is no advantage in one scheme over the other?—No.

42196. The advantage of your scheme is that you have the opportunity of seeing these men actually doing the practical work of administration before you appoint them to these superior charges?—That is what I regard as the advantage.

42197. That being so, when you have decided that a man is equal to holding these higher posts, what objection have you to his receiving the same pay as members of the Indian Civil Service, in view of the fact that he would be performing precisely the same work on the same conditions?—The pay is more for the Indian than for the European; the Indian has a larger amount to spend and a larger surplus than the European has. The European's necessary expenses are a good deal higher.

42198. But the Indian who gets into the Indian Civil Service through the London door receives the same pay as the European member of the Service?—Yes, and he has earned it.

42199. If you recruit the Indians in the two different ways, part of them getting in through the English door and part of them being promoted from the Provincial Civil Service, and you were then to give those Indians who get in through the English door a higher pay than those promoted from the Provincial Service, would you not be creating a rather invidious distinction between two classes of officers serving to all intents and purposes in the same Service?—I do not think it is invidious or unfair. The man who has competed in England should get the same pay as the man with whom he has competed. Then for the man appointed in India I do not think the higher rates of pay are necessary to secure the very best material possible.

42200. With regard to the pensions of these men what would you do about them?—I would allow a very much more liberal scale of pension than is now allowed for the Indian Service, but I do not think it is necessary that the pension should be £1,000 a year.

42201. The man who is promoted from the Provincial Service would have to spend eight or ten years without making any contribution towards his annuity?—Yes.

42202. So that you could not put him quite on the same footing as a member of the Indian Civil Service?—No. There would be no contribution in his case at all; he could not join the fund and he could not pay the contribution.

42203. But you would recommend that the State should give him a higher pension than is at the present time given to the men promoted to listed posts?—I would. He can now get Rs. 500 a month, and for a man who has been drawing the pay of a District Magistrate or possibly of a Commissioner to descend to Rs. 500 a month on being pensioned is too much of a change.

42204. May I assume that these men whom you would promote from the Provincial Service to the higher Service would to all intents and purposes occupy the same sort of position in the Commission that a military officer occupies in those provinces where they have mixed Commissions?—That is my idea, always with the proviso that the Government should declare that certain posts were not open to men so selected, the Lieutenant-Governorship for instance.

42205. Would you make any other restriction except the Lieutenant-Governorship?—I think not. There might be others but it is the only post here as far as I can see. I would let them come to the Board of Revenue if they had approved themselves for it.

42206. In your answers to the questions relating to the Provincial Civil Service you advocate that the bulk of that Service should be recruited by promotions from the rank of tahsildar?—I regard the tahsildar as a man exactly of the same class as the members of the Provincial Service. He is a most important part of the administration in these provinces and he does work of the same type. I should like to see a larger number of appointments open to tahsildars in order to secure more highly educated men as tahsildars.

42207. But it would be hardly possible to promote men from the Provincial Service to the Indian Civil Service if they had in the first instance served as tahsildars?—It would mean delayed promotion for seven or ten years. The period during which he would be passing through a naib tahsildarship and a tahsildarship might for a good man amount to seven years.

42208. Then under your scheme he would probably have to pass another eight or ten years in the Provincial Service itself?—Yes. It would delay him.

42209. That would mean 17 or 18 years. If your scheme for promoting the Provincial Service to the higher Service were adopted would it not be preferable to recruit the bulk of the Service direct instead of by promotion from the Subordinate Service?—That would ruin the Subordinate Service, which is a Service of the greatest importance in these provinces. We would not get the men we are now getting, who are men of exactly the same class as those who enter the Provincial Civil Service.

42210. But at present about half the vacancies in the Provincial Service are filled by promotion from the Subordinate Service, are they not?—Yes.

42211. Is not that sufficient to keep up the standard of the Subordinate Service?—It keeps up the standard. We could get a higher standard still with more appointments. Still, I do not press for that.

42212. Your answer that Indians entering by the English door are likely to be better officers than Indians recruited in India does not seem to be quite consistent with your suggestion of promoting men from the Provincial Service?—Men from the Provincial Service should get their chance of promotion, because I think it is due to the Indian that he should have a larger number of appointments in his own country. The Indian who has passed for the Civil Service has something by having gone home and having gone through the examination.

42213. But on the whole you think the man who has gone home and got in through the open competitive examination will make a better officer than the man recruited out here?—The chances are in his favour. Of course the man recruited out here is a selected man, selected on work actually done.

42214. With regard to pensions, you say the Government should contribute the same amount for all officers whether those officers have served 25 years or 35 years. You were asked: "Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and if so, what and for what reasons." And you replied: "My answer to this question is suggested by my answer to question (118). The contribution of Government to the pay of any officer should not be less than the average contribution now made?"—My idea is that the man who has received exceptional promotion, to Lieutenant-Governor for instance, has contributed possibly an amount which would pay for the whole of his pension. The contribution of Government is nothing. In his case he should receive some

advantage from the amount of his contribution:

42215. I quite see the force of that, but how would you put that proposal into practice? Are you going to lay down a definite sum as the State pension?—It is a matter for calculation what is the State share of pension.

42216. That is a question on which opinions differ. Would your suggestion be that it should be definitely laid down that the State pension in future, in the case of all officers, should be, say, £500, and that in addition to that every officer should still contribute his four per cent. every year and that the four per cent. should be allowed to mount up and vary in amount according to the length of his service?—That would be a fairer system than at present if it is practicable to maintain the accounts.

42217. That is what you would prefer to see done?—Yes.

42218. (*Sir Theodore Morison.*) I should like you to explain a little better what you mean by saying in your answer to question (49): "If all requirements as regards control and instruction were fulfilled." What do you think should be the objects to be aimed at during the period of probation?—There is another question which specifies the studies during the period of probation.

42219. I want to know what you mean by "Objects which should be aimed at during the period of probation." You suggest a period of two years?—Yes, at least.

42220. And an allowance of £200 a year?—Yes. He should get a general knowledge of Indian History, and Indian Geography; he should get a more or less literary knowledge of the language of his province, and of one classical language at least; and he should have a wide training in Law with some practical training such as is given by attendance in court.

42221. I see you answer the question after balancing it, but why do you think that those particular objects can be secured in a University?—I said I preferred a University because I do not wish to isolate the Indian students entirely, but I regarded it as likely that a separate institution would in the matter of studies be better than a University. It was from the social point of view that I suggested the Universities, provided that they can give the students all the advantages that a separate institution could give in the matter of tuition and guidance.

42222. Do you think as a matter of fact that any University in England can do that?—I cannot say, but I think probably not.

42223. You accept the principle laid down by Lord Macaulay's Committee that the period of probation is to be a professional or technical training and not a liberal education?—That is so.

42224. It always seems to me that the desire to have them go to a University is going back a little on that principle?—I thought of it more from a social point of view. It is of the first importance that they should have the tuition and guidance required, and if they are given that at a University they will meet with a larger number of fellow-students and they will be likely to take wider views on other matters than if they were in a separate institution.

42225. Those are very great advantages if they do not sacrifice the professional training?—That is so.

42226. But your opinion is that the professional training comes first?—Yes.

42227. In your answer to question (88), with regard to the separation of the judicial and executive functions, you lay great emphasis upon keeping revenue cases out of the ordinary law courts?—I do. The revenue courts were instituted for the express purpose of having these cases more promptly decided, and decided by officers who did not put themselves in the position of a purely legal Judge. He has on one side an ignorant peasant and on the other probably an intelligent Vakil, and the revenue officer has to see that matters are kept straight, that the peasant's case is understood and that measures are taken to have it presented.

42228. The view that has been urged before us was rather that the criminal and the civil administration of justice should be in the same hands without reference to revenue cases?—When you talk of judicial you include both revenue judicial work and criminal judicial work.

42229. Is there any necessary connection between those two?—They are both judicial and they are both carried out by the same officers.

42230. If the revenue courts were left independent of the civil courts would you have any objection to criminal justice being carried out by the same people who dispense civil justice?—I think it would be a weakening of the Administration in every way. It is important that control of the police should be exercised by a person who takes a Magistrate's view of the work done, that it should be the District Magistrate who controls the police and not simply a superior officer taking a police view.

42231. (*Mr. Abdur Rahim.*) In answer to question (22) you suggest that the syllabus should be widened in order to allow Indians a prospect of success. Have you thought out any of the directions in which you would widen the range of subjects?—No.

42232. Would you add Law and Jurisprudence?—No. I would adhere to the principle originally followed that it should be a literary education for the open competition.

42233. Would you add Persian as one of the subjects?—Yes.

42234. And Indian History?—I do not see why not.

42235. We have had considerable evidence before us that a good knowledge of Law and the principles of Law is of the greatest use not only to the Judicial officer but also to the Executive officer. The Executive officer has a great deal to do in administering Acts, has he not?—Yes.

42236. Do you agree with that opinion?—I do.

42237. Do not you think it would be an advantage to have Law as one of the subjects in the open competition, as used to be the case?—No, I would make it a subsequent subject. The training in Law should follow the selection.

42238. I think you suggest that a part of the training of the Judicial officer should be to encourage him to be called to the Bar?—I have said that the course of study in the Law he

should undergo should be fully equivalent to that undergone by a man who is to be called to the Bar.

42239. During this period of probation you would have everyone studying Law to practically the same extent as a Barrister?—Yes.

42240. And you would also enforce attendance at the courts and reporting cases?—Yes.

42241. When would you bifurcate the two Services and ask an officer to elect whether he would take up the Judicial or the Executive line?—I think every man who comes into the Service should have at least five or six years' Executive training. If a man is to go in as a District Judge the bifurcation would come at eight or ten years' service. If it were determined he should take other duties subordinate to those of the District Judge it might come sooner, but it should not be before he has done five years' Executive service.

42242. You would have the bifurcation after five years' service?—If there are a large number of appointments of Assistant Judge open on pay that would compare with the pay of men in the Executive Service.

42243. Would you say that he should be trained in the civil work as a Munsif or Subordinate Judge before he is appointed District Judge?—I see no objection to it from the Civilian point of view. It would require some readjustment in the cadre of Subordinate Judges and Munsifs.

42244. What is the particular advantage of Executive experience to a purely Judicial officer?—I am afraid I cannot explain very definitely, but I think that the association with the people which a man has as Executive officer, his being with them and going round their fields and talking with them of their affairs, hearing about their families, and so on, counts more for an efficient career subsequently as a Judge.

42245. Does it really come to anything more than that he comes to know the people of the country generally?—That is so.

42246. Of course he must have an insight into human nature before he can be a competent Judge; that is a proposition which no one would dispute; but apart from that, is there any special value in Executive experience?—In his Executive work, including the criminal and the revenue work, he is gradually initiated into the view he ought to take in trying a case. He gets to know the value of evidence. It is a training towards Judicial work as much as it is a training towards a District Magistrate's work.

42247. Are you thinking that this training in Executive work has a special value in producing a particular frame of mind that a Judge ought to possess?—I do not know about a frame of mind, but he gets the capacity to understand evidence. The more you know outside the courts the better you will decide in the courts.

42248. Would you agree with me that the proper way in which a Judge ought to approach his case is to have regard to the evidence produced before him, and to denude his mind of all notions as to whether certain witnesses ought to be believed or not, and apply his mind solely to the evidence that is given before him, and come to a conclusion on the evidence solely? He has not to consider the reputation of the people whose case he is trying. Supposing an officer knows a particular zamindar and that zamindar, generally speaking, is not a very desirable man, and supposing there is a case in which he is concerned, I suppose in deciding that case, whether civil or criminal, he ought not to allow his mind to be in any way influenced by what he knows of him generally?—No, he ought not. He ought to see that the offence with which the man was charged was proved apart from any view he may have taken of the man's character.

42249. Supposing it is generally believed that if an officer has been doing Executive work for a long time and then takes up his duties as a Judge he is likely to be unconsciously influenced by previous experience of particular men whose cases he may have to try, would not you allow that some weight in dealing with the question of whether the two functions should be separate or not?—It is just as necessary for a Judge as for a Magistrate to free his mind from prepossessions. Any Indian Judge is just as likely to know the people who come before him as an Indian Magistrate, whether he is a Civilian Judge or a Barrister Judge or a Judge appointed from the Provincial Service.

42250. But the duty of an Indian and European Judge is the same in that respect?—In respect of independence of judgment in cases which may come before him, not to be prepossessed against a man because his character is bad or prepossessed in his favour because he is good. The Judge and Magistrate are in the same position. They all know a considerable number of people who have dealings in their court. There is no one in the province who has a wider acquaintance amongst certain classes of people than the Barrister Judges here.

42251. I do not say that the Judge ought not to know the people, but that he ought to approach the case before him with a mind absolutely free from anything that he might know. He ought not to allow his previous knowledge to influence him?—No.

42252. That is a frame of mind that is desirable in a Judge, that he should be able to get rid of all that he knows when he is deciding a case. Are you aware that there is a very strong public opinion here against this combined system?—I do not regard that public opinion as extending to the bulk of the population.

42253. I mean among Lawyers for one thing?—Amongst Lawyers possibly there is.

42254. And amongst the educated classes generally?—A large proportion of the educated classes. It is not the idea of the people in general, of 80 per cent. of the population.

42255. But you would not expect that 80 per cent. of the population could form any intelligent opinion of a question of this sort?—I should.

42256. Public opinion in a matter of this sort must be sought amongst the educated classes and chiefly amongst Lawyers?—I think not. In a question which so vitally affects the people as a whole you can well rely on the more intelligent people of the uneducated classes realising what they want and what they prefer and what they regard as best for them.

42257. Do not you think most of them are

ignorant of what exactly is the system?—They want one person they can go to about anything. They recognize civil courts as separate now, but about anything else they can go to the sub-divisional or district officer.

42258. They want some one they can go to?—Yes.

42259. (*Mr. Sly*) In your answer to question (7) you have given some opinion with regard to the employment of Indians in provinces other than their origin, and you say that it is undesirable that the Indian from one part of India should be employed in another part of India. What are the valid objections to the employment of Natives of other provinces of India in the United Provinces for instance?—I think it would be disliked by the people themselves.

42260. Have you practical experience in these provinces of Indians from other provinces being employed in the Service?—Not many. Only Indian Civilians, and I would except them from what I have said. All other Provincial officers are recruited in the provinces. There are a certain number of Bengalis, but Bengalis residing in these provinces.

42261. You consider that so far as the Indian Civil Service is concerned there is no objection to the employment of any Indian officer in any part of India?—No. It does not amount to any extended employment of Indians of another province in these provinces. The number is small.

42262. If it did amount to extended employment what would be the feelings of the people in regard to that?—They accept the man who has gone home and passed the Civil Service examination as standing very much in the same position as a European. They are willing to accept the Mahratta or Bengali who come here as men in the same position as the Magistrates or Judges they have been accustomed to. I do not think that to the Civilian who has passed at home any objection need be feared.

42263. You have gone further and objected to the competitive examination because it would not give the Service a due representation of classes?—Yes.

42264. Can you tell us why you consider that necessary?—I think in the competitive examination certain classes would be left out.

42265. Would that have any deleterious effect on the Administration?—I should be very sorry to see the Rajput element die out. They would have a very poor chance in the competitive examination, whereas they have real executive capacity. As a matter of fact the Muhammadans would not come out well and they have undoubtedly high executive capacity.

42266. Then your opinion is based on the fact that you consider the efficiency of the Administration would be lessened if certain classes were excluded by competition?—Yes.

42267. To apply this to the Provincial Civil Service at a certain time I believe you had recruitment by examination to that Service?—We did.

42268. Can you give us any opinion as to the relative merits of the officers who were recruited to the Provincial Service by examination as compared with those that were recruited by selection?—As a matter of fact one or two very excellent men came in by competition, but the final judgment on the subject was that we were not getting as good a class of men as we got before competition was introduced.

42269. The system was deliberately abandoned because it was found not to get such a good class of officers?—It was found not to give us exactly what we wanted.

42270. Can you tell us whether there is any marked difference between the relative merits of officers recruited direct by selection and those recruited by promotion from the subordinate service? Which method in your experience has produced the best Deputy Collectors?—The subordinate service at present has not the same educational standard, and therefore a certain number of men come into the subordinate service who turn out not to be good enough for the superior service and they probably get left in the subordinate service. If a man does particularly good work he may be selected for a Deputy Collectorship although he is not fit for it.

42271. On the average which produces the best type of Deputy Collector?—The very best Deputy Collector we could have would come from the subordinate service, but the average is better amongst the men selected direct.

42272. Do you believe that if you restrict recruitment to promotion from the subordinate service you are likely to get the best type of man in the province willing to enter the subordinate service in the position of a naib tahsildar on low salary?—I would make certain alterations. The naib tahsildar's pay should be increased and the tahsildar's pay should be increased to a certain extent. But allowing for that, and that promotions to the Provincial Civil Service were to be made from the subordinate service, we would get exactly the same class. Almost any man who would now take a Deputy Collectorship would then enter as a naib tahsildar.

42273. Although the salary is very much less?—The salary is much less but it would be regarded as a stepping-stone. What now prevents a lot of good men coming in as naib tahsildars is not that they object to being naib tahsildars but that people who have been at College with them and were not better than they at College and of no better birth have been taken as Deputy Collectors.

42274. Do you think that a service starting with recruits from naib tahsildars could compete with independent professions such as the Bar?—We could get exactly the same man who goes to the Bar if it were to be understood that there was to be promotion rapidly right through the grades. We get it now to a certain extent.

42275. In answer to question (17) you have stated that in your experience you have found some of the present men who come out in the Indian Civil Service have a certain amount of dislike for Indian life, more marked than it was when they came out at a younger age perhaps. Do you think that it has anything to do with the combination of the Indian Civil Service with the Home Civil Service examination?—No; I have never connected them. It has to do with the bad promotion to a certain extent.

42276. But now that the examination is

combined you have a certain number of candidates who failed to secure a Home appointment accepting an Indian appointment, not because they have any desire to serve in India, but because that is the only appointment they can get?—It is possible, but I have not come across any case.

42277. You cannot state from experience whether that is the case or not?—No.

42278. With regard to Settlement officers being in superior posts you said that at present at least one of them was held by an officer of junior position?—A Joint Magistrate.

42279. Is not that the case because that particular officer is not drawing superior pay owing to the slow rate of promotion, or is he really a junior officer?—He is a Joint Magistrate undoubtedly because of the block in promotion. If, as suggested in the question, they had a district at eight years, he would have had one long ago.

42280. In your recruitment of Settlement officers do you wish to have officers of less than eight years' service recruited to the appointment or not?—I should want eight years' service before a man became a Settlement officer.

42281. The fault is not in classing a Settlement officer as a separate appointment but due to the block in promotion in these provinces?—Yes.

42282. (*Mr. Macdonald.*) You say in answer to question (5) that you are in favour of retaining this joint competition between the Home and the Indian Civil Services. The competition was separate, was it not, when you came out?—Yes. I have not really expressed an opinion on the subject. I said I did not see any objection to it.

42283. In your days when a man sat for the Indian Civil Service examination was it presupposed that he had an interest in India?—Undoubtedly.

42284. Whereas now you get a miscellaneous crowd of men sitting for some Civil Service and they will take the more popular?—It is possible we get men who really do not care for India and take it for a living.

42285. Would you say that if that should happen it would be bad for the Service?—Yes, if it happened to any extent.

42286. You see year after year, when the lists of the successful competitors are published, that newspapers make comments to the effect that a man at the top does not choose India?—Yes.

42287. Even although that man may not be a desirable person to have out here, do not these comments injure the Service?—I do not think they are meant to injure the Service; probably they are meant to stimulate some measures in regard to the block in promotion.

42288. But what is your own feeling when you see a series of newspapers commenting upon the fact that only the bottom men choose the Indian Civil Service?—I have not any feelings on the subject. I know if I had the opportunity I would take India, and it does not touch me that another man wants to stay at home.

42289. That is not my point at all. I should like to find out whether by giving an opportunity for such comments you are not really injuring your Service. If you get year after year comments to the effect that the men who come out at the top do not choose India, is not that having a very bad effect upon the minds of men at Oxford, Cambridge, Aberdeen, and Edinburgh, who are thinking of going to India later on?—That is quite possible.

42290. That is an annual occurrence?—Yes. The top men take the Home Service.

42291. You say in answer to question (7) about simultaneous examination, that you have not in the working of the Indian Legislative Councils found any reason to believe that national interests are preferred to class interests?—I may explain that. I hold to that. We have got the Provincial Civil Service men who are working with us, and I find that a member of the Provincial Civil Service takes an unbiassed view of the circumstances of the country, that he does not take a class view. He belongs practically to the same class as the members of the Provincial Legislative Council and his views are fairer and more independent of class advantages than those who are selected for the Council.

42292. Is not that the characteristic difference between the legislator and the administrator?—I would expect a legislator, especially a legislator in a country like this, in which persons chosen by a small percentage of the population are legislating for the whole population, for people who have no voice whatsoever in the matter, to take an unbiassed view. It is absolutely essential that the legislator shall take an unbiassed view, that he shall not attempt to advantage his own class to the disadvantage of another. What I have most in mind is the landlord and tenant question. The non-official members of the Legislative Council cannot be held to take an unbiassed view of this subject.

42293. Is not that simply the difference between the method of working? The legislator does his work by discussion, by the conflict between sides and differences of opinions, whereas the administrator works in a totally different way. You get impartiality in the whole of your Legislative Council, but not in the individual. You have to expect impartiality in the individual when he is administering?—I take it that one brother who is a Deputy Collector will take a different view from another brother who is not.

42294. Provided the one is a legislator and the other an administrator?—One has in his training and his work as an Executive officer gradually adopted a more unbiassed view, a view to which he would as a legislator give effect if it were within his power.

42295. The point is simply that your comparison, which you lay stress upon, between the Indian Legislative Councils and the administrator, struck me as wanting a little elucidation?—I thought the difference in sentiment between the legislator and the official was due to a certain extent to the influence of a preponderating European element in the Administration, that that affects the Indian element, and has led it to take a more independent view on public questions than persons who are selected for the Legislature by the electors themselves.

42296. Do not you find at home that when a man is an administrator or a Judge he is supposed to be quite independent and to take impartial views, whereas the same man when a Member of the House of Commons is supposed to advocate the side of the party to which he belongs? Do

not you get exactly the same in India?—It is not a question of party but of class in India.

42297. We need not push it any further. I just wanted to know whether you had anything more in your mind. As I understand your general objection to a simultaneous examination, it is that it will tend largely to increase the Indian element in the Service?—That is one objection.

42298. And the other objection is that it will not give you the right men?—It will not give you the men that are approved by the people in this country.

42299. Do you think if you establish simultaneous examinations you will have such a large influx of Indians?—I think so, after a time.

42300. What time?—It is hard to say. The desire for it in India would be extremely keen and institutions would spring up for training.

42301. Have you looked at the University Calendars, and seen how far a degree at a University comes from success in the Indian Civil Service examination?—It is undoubtedly very far from it, but a considerable proportion of the candidates could rise to a much higher level. The difference between the Indian Civil Service and a pass degree at home is enormous.

42302. But you would require to alter the facilities for education here, would not you?—The facilities would alter themselves, I think.

42303. Would not that be to the good?—If it were genuine teaching, yes. If it were cramming, no.

42304. If it were genuine teaching by the Universities, bringing up their curriculum to the Oxford or Cambridge curriculum, do you think that would be good for Indian education?—I cannot offer any opinion upon that.

42305. So that when you say it would bring in more Indians it is really an expression of an impression rather than the expression of a very carefully worked out judgment supported by detailed study?—It is an impression, but an impression of the correctness of which I have no doubt.

42306. But still it is an impression?—Yes.

42307. You say in your answer to question (7) "I do not think that a competitive examination, even if a certain number of representatives were secured by rule to these provinces, would give the Service a due representation of the classes which in existing circumstances it is desirable to associate in the government of the country"?—I have mentioned one class, the Rajputs.

42308. Have you taken steps to associate these classes with the government of the country hitherto?—Undoubtedly. We select as large a proportion of Rajputs for the Provincial Service as we can get.

42309. The simultaneous examinations would not influence the selection for the Provincial Service?—If it were a simultaneous examination they would not come in at all. I have no doubt that the men selected in the simultaneous examination would come mainly from other provinces.

42310. But so far as simultaneous examinations are concerned, do they affect the Provincial Civil Service or is it only the Imperial Service?—They would affect the Provincial Civil Service in taking up the appointments which I would propose to give to the members of the Provincial Service.

42311. But if you propose to give these appointments to members of the Provincial Service and you select your Provincial Service with a view to getting these classes in, would not the classes come through the simultaneous examination?—As things at present stand certain classes will not be successful in a competitive examination.

42312. So far as you have tried to associate these classes with the Government of the country, your efforts have been confined to the Provincial Service?—And to the appointments to which the Provincial Service may lead.

42313. But neither the one nor the other would necessarily be affected by the establishment of simultaneous examinations?—I have put down a certain proportion of Europeans as essential. If you have a simultaneous examination you reduce that proportion of Europeans so as to leave no room for Provincial men.

42314. But supposing you have an increased number of Indians successful through the English door, would not you be reducing that proportion also?—I would. That is fair and square.

42315. You would not make any provisions for them?—I certainly would not.

42316. Do you think it is impossible for these classes to pass examinations for the Indian Civil Service if they cared to do so?—I would not say it is impossible, but it is very unlikely in the extreme that they will get in to any extent. One man may come in, but they will not come in in any numbers. I do not think in our province any will come in in any numbers.

42317. So long as they are in that frame of mind, do you think you are really going to get important posts filled by them?—I am afraid there has been a misunderstanding. I did not say they will not go in, but they may not pass. I think there are people who are entirely fit to fill important posts although they do not pass competitive examinations well.

42318. On account of some mental constitution you think they cannot pass simultaneous examinations but think they can do the administration work that the Englishman can do who is selected because he can pass examinations?—Yes.

42319. That is your view of what may be called the psychological problem?—It seems inconsistent, but, I do not think it is.

42320. (*Mr. Fisher.*) I should just like to clear up one point in connection with your scheme for the Provincial Service. I understand you to desire that some posts should be listed for the Provincial Service?—Yes.

42321. While you list those posts now they would not be filled by any Indian until the lapse of about ten years?—No.

42322. In other words, your concession would not benefit existing members of the Provincial Service, but is designed to benefit members who hereafter come into the Provincial Service?—It might benefit existing members to a certain extent, but they would come into the superior appointments late.

42323. The difference, therefore, between the result of simultaneous examinations for ten places and the listing of ten posts for the Provincial

Services would be that under a separate examination you would have ten Indians filling subordinate places in the Indian Civil service at once, whereas under your listed system you would have no Indian filling any post in the Indian Civil Service until the lapse of ten years?—Yes.

42324. On the other hand, after the lapse of ten years there would be a possibility that ten superior posts might be filled by the other method?—Yes. The effect as regards superior posts is much the same.

42325. It would be identical after the lapse of ten years?—Yes.

42326. You think that the study of Persian and Sanskrit should be obligatory upon the probationer, and I wish you would tell us why you lay stress upon those two classical languages?—It seems important for a member of the Indian Civil Service to know something of both of them. As a matter of fact I do know something of Persian, and I found it most useful in talking to certain classes of the educated community. I think that every Civilian ought to have some knowledge of their literary languages.

42327. It is rather in order to bring the Civilian into closer touch with the educated Indian?—Yes, that is the idea, that he should meet them in a position to be recognised as a literate person amongst them.

42328. You think that is a really important object?—I think the effect is considerable.

42329. (*Mr. Madge.*) You start by saying that you are willing to accept the present competitive system although you do not think it ideally perfect. If the competitive system does not secure all that is necessary you wish to find other means for securing those things that you think necessary?—Yes, things that I think are called for: a larger proportion of appointments of Indians.

42330. You say in answer to question (10) that you are desirous of giving more room in the higher administration to Indians, and you close that paragraph by referring to classes who have an hereditary aptitude for the government of the country. Apart from any suggestion you have actually made, has any plan occurred to you of securing the services of men who rise to eminence outside the public services and whose character and talent are acknowledged by everybody, but who have not chosen Government service?—The conditions as regards the Judicial Service are separate. It is a service into which persons having a legal training outside Government service can enter. But as far as the Executive service is concerned it requires training just as much as the Judicial side requires a knowledge of the Law. I do not see how the outsider can come in except at the period of training.

42331. Do you mean that you cannot discover early in life the qualities that the men I refer to disclose later in life?—Is the question why men who have risen to eminence as non-officials should not be taken into Government service at a late period in their life?

42332. No. How is it they have not been attracted earlier? What is the defect in our method of securing men that we do not secure these men of great talent and character who took up other careers?—We must have other careers. All the talent cannot be in Government service; we must have men of talent outside Government service. It is right and proper that there should be

42333. But you cannot think of any method of attracting them to the Government service apart from any suggestion you have already made?—Is it your suggestion that there are no brilliant men attracted to Government service?

42334. Not at all.—I think we attract to Government service a suitable class.

42335. In your answer to question (4) you propose no differentiation between any classes of natural-born subjects of His Majesty. Have you come across domiciled Indians or Anglo-Indians in the public service?—Many.

42336. Have they been fairly efficient in comparison with their colleagues?—I think they have.

42337. You are aware that the Police and other services are not open to them? If you think the competitive system is not the only one or the best one, do you think that they are entitled to no consideration with regard to some method of proving them, provided they are of high character and talent?—I consider they are entitled to every consideration.

42338. Are you aware that when a question was asked in the Legislative Council last year regarding the Police, the answer was that the Government of India already possessed the power of occasionally nominating officers to the Police, and they did not think it necessary to make any change in the existing rule that confines the majority of appointments to the India Office, and that the question was said to be left open for any recommendation by this Commission? If you have come across men of the domiciled European or Anglo-Indian community for whom greater facilities should be provided, would you make any recommendation to this Commission?—I cannot express any opinion as regards the Police as I have not had to deal with them for many years; as far as the other services with which I have had to do are concerned, the Anglo-Indian or the Native Christian stands in exactly the same position as any other Statutory Native of India.

42339. As a matter of fact, occasionally domiciled Anglo-Indians have been selected for the Police, and although I do not say that the impression is correct, the impression is certainly rather general that the colour-bar runs across these selections?—I have had nothing to do with the selections for the Police.

42340. In answer to questions (12) and (88), you object to any difference in the recruitment and to the separation of the Executive from the Judicial. I gather from what you have said that it is because in the earlier portion of his career the Civilian gains a valuable experience. But from the manner in which the district officer is often referred to as Collector and a reference is often made to Revenue, there may be a wrong impression that it is in connection with the Revenue that the Government attach importance to the district officer. Is it not rather because the Magistrate as a Magistrate has other than Revenue functions and moves about in the country setting wrongs right as far as he can that you

attach value to his experience?—His experience is undoubtedly of value on both sides. As a matter of fact I consider it more valuable on the Revenue side because it brings him more directly in contact with the people outside the courts.

42341. But you do not attach any importance to the magisterial functions of the district officer apart from Revenue?—I attach great importance to the man who has Executive control of the Police by being a Magistrate.

42342. You have said that the more an officer knows of the people out of court the better he will try cases in the court. I did not understand you to mean the more he knows of individual persons but of the general conditions in the country. —That is my idea: not individual persons but general conditions.

42343. Supposing a picture was drawn that no one had any interest in the trial of cases but the accused person and the man who tried him, would you agree to that as being correct?—No, certainly not.

42344. That is to say, that when an outcry is raised with regard to any individual case of injustice, every man of the class puts himself in the place of the person supposed to be wronged and takes up the case?—Everybody is affected by injustice either one way or the other.

42345. You are not in favour of reviving the Statutory Service. Do you think it failed because the system was radically wrong or because the selections were unfortunate?—Every member of the Statutory Service is a personal friend of mine and I am not anxious to pronounce opinions as to their individual careers. I think the system of selection was wrong, that untried men were taken.

42346. Do you think that under present conditions happier selections might be made if it were revived?—Not without trial of the men in actual Government service.

42347. An imaginary line is drawn in the Indian Civil Service between the superior and the inferior appointments, and the inferior are supposed to reach up to Rs. 1,000. You are doubtless aware that there are many cases in which a man in the junior branches has not risen up to this Rs. 1,000?—There are a certain number of cases which have had their promotions stopped and retired as Joint Magistrates, but not many cases.

42348. Do you think that, for the junior branch of the Service, the one that is called inferior, a time-scale would not effect all that is necessary?—I think a time-scale would be a great improvement so long as it did not extend to the superior appointments.

42349. Then the drawbacks to which you refer in answer to your question (101) will not apply in such cases. Is there any objection to a time-scale being adopted for the junior inferior branch of the Indian Civil Service?—No, I do not think there is any objection to a time-scale being adopted for the junior appointments in the Civil Service.

42350. (*Mr. Chaubal.*) I take it you think that the time has come when a larger proportion of higher appointments may be offered to Indians?—Yes.

42351. And such larger proportion you are against introducing by a simultaneous or separate examination?—Yes.

42352. You propose it should be obtained by giving more listed posts to the Provincial Service?—Yes.

42353. You would not prefer that the larger proportion which you are prepared to admit by giving more appointments to the Provincial Service should be made through the open competition in England, that is, between these two sets of people, whatever number you propose, that number should be open to the Provincial Service by giving them more listed posts, and the same number should be assisted to come into the Service through the present open competition door?—No. I want the posts in these provinces to go to people of the provinces or of a similar province, and I do not think that a competitive examination would secure them these appointments.

42354. I am not speaking of any competitive examination here?—I understand you mean the competitive examination in England.

42355. As between the two classes of people, Provincial Civil Servants selected by Government and coming in 10 or 15 years hence, and on the other hand trying to satisfy the legitimate aspirations of Indians by giving them larger facilities to get employment through the one door: which of those two things would you prefer?—I have said that I would give them every opportunity of coming in through the open competition in London, that I would make the course to some extent more suited to them, and I would put no limit on the number of men coming in in that way.

42356. I wish to have your opinion on an idea which has been suggested to this Commission, that while under the present system the best Indian candidates, on account of circumstances and distance, are prevented from appearing at the competitive examination in London, a certain number of scholarships should be started which would enable the ablest Indian candidates to study and appear at the competitive examination in England. Would you be opposed to such a scheme of scholarships?—Yes. I do not see why such scholarships should be provided. A very large number of scholarships would be wasted so far as the Service was concerned, because the men would not pass.

42357. On what do you base that prophecy?—Given 10 or 15 scholarships, you may be perfectly certain that a proportion of them will not pass into the Indian Civil Service.

42358. At present Government sends a couple of students selected by the University from each province for the Indian Civil Service examination, does it not?—I do not know about them.

42359. If I told you that the results of the Government of India scholars do not justify the fears you entertain about the number of scholars who would fail, what would you say?—I did not know there were such scholarships, but I take it as a matter of certainty that if you have 10 or 12, or 15 scholarships a considerable proportion of the men will not come in.

42360. Supposing it was suggested that those who do not come in, if their position in the examination is sufficiently fair, should be given chances in the other Services, the Provincial

Service or the Educational department, what would you say?—I do not see why Government should pay scholarships in order to train men for admission to the Service. It is for the candidates to train themselves.

42361. Then I suppose you do not attach any importance to the present method of recruitment coming in the way of ambitious young Indians and preventing them from getting entrance into the Service?—I have stated what I think is the best way to secure ambitious young Indians for Government service.

42362. I want to know on what you base the opinion you express in answer to question (16) about the popularity of the Judicial branch of the Service?—There was a time when no young Civilian, or very few young Civilians, voluntarily agreed to go into the Judicial Service, but that is not the case now.

42363. You mean that a larger proportion like to take up the Judicial branch?—Yes; they agree to take it up and apply for the Judicial Service.

42364. You give that as one of the reasons for supporting your preference for an earlier age?—I do not give it as a reason; I give it as a possible consequence of the older men coming in.

42365. Do I understand the answer correctly when I say that because the age is now more advanced more people will take to the Judicial branch?—Yes, I had an idea that that was the effect, that men coming in at a later age are more likely to settle down to judicial work.

42366. If that were so you would expect it to be the same in all provinces?—Yes.

42367. In answer to question (22) you say that the syllabus of subjects should be wide enough to allow Indians fair prospects of success without taking up classics. What do you mean by widening the syllabus?—It is to some extent an educational question and I have offered no opinion. I have already mentioned two subjects that are possible, Persian and Indian History.

42368. You know the number of marks which the classics carry?—Yes.

42369. Do you propose that Persian and Indian History should be given the same number of marks as the two classics between them carry?—Certainly not Persian alone.

42370. You have not said exactly in what directions you would widen it?—No.

42371. Can you tell me roughly how long it takes for a Provincial Civil Service officer recruited in the 7th grade to rise up to the higher grade? I take it that the lowest is Rs. 250?—There are a lot below that grade, a lot who are not in the grades at all.

42372. That is the Subordinate Service?—No, I mean men who have not got a substantive appointment at all, but who are officiating or probationary.

42373. I should like to know roughly how long it takes for a man in the lowest grade of the Provincial Service from the date of his appointment to rise to the highest grade of Rs. 800?—The men now in the grade of Rs. 800 have 19, 27, and 28 years' service. Possibly it would be 24 years.

42374. You say in your answers that you are against a time-scale so far as the Provincial Service is concerned?—Yes.

42375. Therefore I want to know whether the flow of promotion is equal within the whole Service from the Rs. 250 grade up to the Rs. 800 grade. Can a young man get into the Service at 25 and reasonably expect that after twenty or twenty-one years' service he will rise to the highest grade, and is the flow in the time equally distributed?—The flow would not be equally distributed.

42376. Then why are you against a time-scale?—Because a time-scale allows nothing to the man who has shown more than usual merit. The time-scale divided into groups might do so, but there must be two stages at least during the career of a Deputy Collector in which we should be in a position to select him.

42377. You would not be against a time scale if it were between two or three different grades?—Two or three groups with a time-scale within each group.

42378. (*Sir Murray Hammick.*) How long have you been Settlement officer?—Five years.

42379. During that time you have been working in the districts in close intercourse with the villagers, I presume?—Yes.

42380. From what you know of the villagers in this part of the country should you say that an Indian villager was able to give you a fair opinion as to whether he desired the Collector to continue to be a District Magistrate or not?—Undoubtedly.

42381. From what you gathered during your time of working among the villagers are you of opinion that they desire any change to be made?—I do not think they desire any change to be made.

42382. With regard to Assistant Collectors, is there a system here by which the Assistant Collector on arrival draws an advance from Government for the purchase of furniture, horses, and so on?—Yes.

42383. Do most of the Assistant Collectors take advantage of that concession and borrow?—I think not on the whole, but I could not say.

42384. Are tents supplied to Assistant Collectors in this province?—They are supplied.

42385. Practically the Assistant Collector has only to buy a horse and the necessary furniture for his house when he goes up country?—Yes.

42386. Do you think the training the Assistant Collector gets is satisfactory in the first two years of his service?—I think it is satisfactory if the Collector to whom he is sent looks after him, and the majority of Collectors do. The Government is careful to select a Collector who will look after the young Assistant.

42387. Do you think the selections are generally well made?—I think so.

42388. Do you think there is any reason for an Assistant Collector during the first two or three years of his service getting into any considerable debt?—I think the Assistant Collector is very hard up indeed until he begins to get Rs. 700. He has to be exceedingly careful.

42389. In some of the provinces it has been pressed upon us that one of the reasons for the unpopularity of the Service at home is undoubtedly the fact that the Assistant Collector is

placed in considerable pecuniary difficulty on his arrival, and that any benefits that are done to the Service with a view to improving the recruiting of the Service should include more pay for the Assistant Collector when he arrives. Do you agree with that view ?—I think so. It is most difficult for a man in the Indian Civil Service to carry on during the first year of his service. He is practically certain to owe money at the end of it.

42390. Do you ever recruit to Provincial Service from the ministerial service ?—It is possible, but very rare indeed. A man who had entered the naib tahsildarship from the subordinate executive might possibly go through to a Deputy Collectorship, but it would be very unlikely.

42391. In what class do you place what we call in Southern India Revenue Inspectors, that is to say the men who look after the patwaris ?—The man is a kanungo in these provinces, and he might possibly rise to a Deputy Collectorship.

42392. But he does not very often do so ?—No, now-a-days very rarely.

42393. What is the highest appointment he gets to as a rule ? Does he go into the Collector's office as a clerk ?—No. His only chance of promotion is to get a naib tahsildarship.

42394. Would he stop there ?—Very likely, if he is a smart man, he might go through to a tahsildarship. A fair number go through to tahsildarships.

42395. (*Mr. Tudball.*) There are two branches of the Provincial Civil Service, the Judicial and the Executive ?—Yes.

42396. Is there any reason why the lowest grade in the Provincial Judicial should receive less pay than the lowest grade in the Executive ?—I think not. I should say Rs. 250 should be the minimum for either service.

42397. But so far the minimum for the Judicial is Rs. 200 ?—Yes.

42398. You have said that a member of the Indian Civil Service who elects for the Judicial should go into that branch when he has about eight or ten years' service ?—Yes. It is stated in the questions that it is contemplated a man should get his district at eight years' standing, and I take it he should take his appointment as a District Judge or as Assistant District Judge at about the same time.

42399. Do not you think it would be a great advantage for a member of the Indian Civil Service who is going into the Judicial to do at least two or three years' work as a Subordinate Civil Judge ?—Possibly so.

42400. If at the end of five years' training as an Executive officer he were then put into work first as a Munsif and next as a Subordinate Judge for two or three years, would not that give him a considerable advantage as a District Judge ?—It might.

42401. Would it not be actual experience in the Law ?—It would be taking out of his time as District Judge a period of training and putting it into his time as a Subordinate Judicial officer. There is some time before he gets used to the working of the civil courts, and that time would be spent while he was a Munsif or Subordinate Judge.

42402. And in such a manner that any errors made by him would be easily remedied ?—Yes.

42403. He would then be better fitted to sit as an Appellate Court for Subordinate Judges and Munsifs than at present ?—Yes.

42404. Do you know what work other than purely judicial work a District and Sessions Judge has to do, or is his work limited only to the pure decisions of cases ?—He has certain other work. He has control of registration and a certain supervision over the subordinate courts. But I do not know why you ask me that as you are in a much better position to say yourself.

42405. I am not a witness. Has he not to inspect all his subordinate courts ?—Yes.

42406. Has he not to know the workings of his courts from beginning to end ?—Yes.

42407. Has he not the appointment and dismissal of the establishment ?—Yes.

42408. Do not rent and revenue cases come up to him on appeal ?—Yes.

42409. Is it not necessary that he should have considerable experience in Rent and Revenue Law ?—It is.

42410. Is not agriculture the chief occupation of the provinces ?—It is by far the greatest.

42411. Do not rent and revenue matters affect the bulk of the people more than anything else ?—They do.

42412. Is it not a fact that Subordinate Judges who hear appeals and do Appellate work do not do the Appellate work on the rent and revenue side ?—That is so, but the part of it that goes to the Judge is not the really important part of it.

42413. But in respect to that part which does go to the Judge ?—They have no experience of it at all.

42414. Do not you think therefore that the five or six years' training that a man gets before he elects for the Judicial is exceedingly useful to him as a District Judge ?—I do.

42415. Do not you think that five years' service would be an appropriate time for him to elect whether he will go into the Judicial or not ?—I think so.

42416. (*Mr. Kanhaiya Lal.*) Have you had any practical experience of the civil and criminal work done by listed-postholders during the last ten years ?—No practical acquaintance.

42417. Have you had occasion to see the criminal work of Magistrates promoted from among tahsildars ?—I have little to do with criminal work. A criminal case would only come to my notice if there were some complaint of the way it had been done.

42418. You cannot therefore say anything about the quality of the criminal judicial work done by Magistrates promoted from among ministerial officers, naib tahsildars, and tahsildars ?—They are not ministerial officers.

42419. The naib tahsildar is ?—No. I have had practical experience of the working of both men promoted from tahsildars and naib tahsildars to Deputy Collectors on both sides, revenue and criminal. Any man who is found fault with for his work would come to my notice.

42420. You have said or suggested in answer to Mr. Sly that their work would be inferior to

the work done by those directly recruited?—I have not.

42421. On an average is their work inferior?—On the whole I could not say that it is inferior.

42422. Is it possible to get the right class of men on the salary paid to naib tahsildars and tahsildars?—I do not think that the pay of the naib tahsildar is what it should be. He is a man doing important and responsible work and he should get pay enough to live upon. At present he does not live on his pay but has to be helped by his friends. As a stepping-stone and training-ground I regard the career of value, and I think that if it were to be understood there was to be a regular and steady flow of promotion that a man could go through in a limited number of years we should get recruits of the same class we are now getting as Deputy Collectors.

42423. What is the minimum salary which you would recommend for officers recruited for the Provincial Civil Service?—I should like to see Rs. 300, but Rs. 250 is the minimum.

42424. You have said that the Indian officer need not be paid the same salary as a member of the Indian Civil Service although he is doing the same kind of work. I hope you admit that the cost of living has considerably increased amongst Indians during the last two or three decades?—Yes.

42425. And the ideals of comfort and living have increased too?—Yes.

42426. Do you recognise that if a man is given a lower salary he will be considered lower in status by the public?—I think not. If he is a District Judge he will be considered a District Judge and no one will know what salary he is drawing.

42427. It gets known?—It would get known, to a very limited number indeed.

42428. Supposing it gets known, do you not think that he will suffer in the estimation of the public?—I do not think so. He is the District Judge and it does not matter what salary he gets. One Judge may be drawing Rs. 3,000 and another Rs. 1,500.

42429. You have also said that the vested interests of Indian Civil Servants will be endangered if a larger proportion of Indians be admitted into the Service?—Admitted immediately into the superior appointments.

42430. Is it not a fact that there has been a large increase in the number of appointments usually reserved for members of the Indian Civil Service within the last ten years?—No, I think not a large increase as compared with the whole number of the Service.

42431. Has there been an increase in proportion to the number of appointments opened to Indians, I mean an increase in the number of appointments such as a Commissionership and Judgeship within the last ten years?—Amongst Judges there have been a certain number of new Judgeships, but the fact remains that the Service is blocked and men who ought to be getting districts at 8 or 10 years have to wait 14.

42432. If in proportion to the increase a portion of the appointments was thrown open to Indians, would you think the vested interests of the Indian Civil Service would be affected thereby?—I consider that nothing can be done in the present circumstances which would take away appointments that would naturally fall to the Indian Civilians. They have been brought into the Service on the understanding that they were to get certain promotion and they are not getting the promotion contemplated.

42433. If the system of vesting junior Civilians with the powers of a Munsif or a Subordinate Judge be adopted, do not you think the members of the Indian Civil Service would be benefited by these appointments, and their vested interests would not suffer if there was a similar addition to the number of Indians holding other appointments?—You mean that to give an Indian a Munsifship or a Subordinate Judgeship is an equivalent for taking away a District Judgeship or District Magistrateship?

42434. There would be junior Civilians working as Subordinate Judges and Munsifs. Would they be to some extent compensated by holding those appointments for the loss of other appointments?—They will be compensated for nothing by holding the appointment of a Subordinate Judge or Munsif, because they will not get any increase of pay.

42435. But the number of persons doing the work of Subordinate Judges and Munsifs would be larger if there were no junior Civilians doing that work?—Yes.

42436. And the number of Indians would be smaller?—That, I mentioned, is a matter to be considered. I said that from the Civilian point of view there was no objection, but that there would have to be some redistribution in the cadre of Munsifs and Subordinate Judges. There would be a loss to the Munsifs of a certain number of Subordinate Judgeships which should be allowed for.

42437. Are you in favour of sending these junior Civilians for training to the High Courts by deputing them as Assistant Government Advocates where they will have an opportunity of studying civil and criminal cases and following arguments in cases?—Assistant Government Advocates have plenty of work to do, and you cannot take an untrained man and make him an Assistant Government Advocate.

42438. The staff of Government Advocates would remain as it is but apprentices can be taken to work under them. Would a man make a better Judge if he is given some months' training under a Government Advocate?—I have not considered that question and could not give any opinion. I do not know exactly what the Assistant Government Advocate would have before him.

42439. Do you think that Pleader Judges would have certain advantages over Civilian Judges in that they would know more of the customs and sentiments of the people?—I cannot see that a Pleader Judge has any advantage over the man who has got his training by going through the regular judicial work.

42440. You think there is no difference?—No.

42441. You would not give preference to a Pleader Judge over a Civilian Judge for purely judicial work, civil or criminal?—No.

42442. You are aware of the Travelling allowance rules. Is not there a grievance about

the rules, that men get much less and have to spend much more?—There is a grievance about the rules. An officer going from one station to another gets possibly Rs. 8-8 for his transfer and spends possibly Rs. 500. I think the rules are certainly not liberal from all points of view.

42443. In the course of your evidence you have said that the work of magisterial courts requires constant supervision. Do not you think the same supervision can be exercised in the same satisfactory manner by District and Sessions Judges if these Magistrates are placed under them?—I have never seen any trace of supervision by the District Judge on the same lines as the District Magistrate supervises, or to the same extent.

42444. Do you think that the present system of appointing men by nomination to the Provincial Service Executive branch has had the effect of making them look up to the District Magistrates and the higher administrative officers for promotion and prospects and at a later stage for appointments for their sons and relations, and has not that had the effect of interfering in some form or another with the independence of those Magistrates?—I do not understand that any District Magistrate wants to influence a Subordinate Magistrate in deciding a case one way or the other.

42445. Does the latter look up to him and to the higher Executive authorities for favours in the matter of appointments for his relations?—He expects that good work would be recognized in any direction by getting promotion himself and by his son having a better chance than other people.

42446. Do you think that affects his judicial work?—I do not believe it does. I do not believe that any District Magistrate would wish to influence a man against his conscience in deciding a case.

42447. Is it not his feeling that he will get better promotion if he keeps himself in the good books of the higher authorities and be better able to get appointments for his relations?—You must put it more explicitly. Is it your suggestion that he is going to earn promotion by convicting?

42448. No?—That he is going to earn promotion by doing good work and by doing it promptly is quite right.

42449. (*Mr. Fasih-ud-din.*) Do you agree with the view held by many members of the Provincial Civil Service that giving less pay to a member of the Provincial Civil Service holding a listed appointment accentuates his feelings of inferiority and affects the efficiency of his work?—I do not.

42450. Do not you think it is rather hard luck for a member of the Provincial Service, when he holds a listed post, not to have the same privileges of promotion to a higher post? If he is made a Collector should he not be promoted to a Commissionership if he proves himself fit?—I have said in my evidence that a man who has been admitted to the post of a District Magistrate should be eligible for promotion to any other superior appointment not expressly reserved.

42451. You say that the fact that a Joint Magistrate has opportunities in his revenue work to become associated with the people and to know their manners and customs gives him a sort of claim to a Judgeship and improves his work as a Judge. Do not you think that this very fact is in favour of a Deputy Collector getting a Judgeship?—As a training for a European officer the five years' service as an Executive officer is necessary. I did not mention it as giving a man a claim to a Judgeship or a claim to anything else than making it possible for him to be a Judge.

42452. You say that it makes him a better Judge than if he were not to have that sort of training?—Yes.

42453. Do not you think that the same thing is in favour of a Deputy Collector who does exactly the same kind of work as a Joint Magistrate?—Quite so. The Deputy Collector is all the better for his executive work if he is made a Judge subsequently.

42454. Are you aware of the rule that a member of the Executive service, other than the Revenue branch, can also be appointed as Deputy Collector?—Yes. A certain number are.

42455. They can be appointed?—Yes.

42456. Are you aware of the fact that until very recently many of the Opium officers whose services were to be dispensed with were offered the post of Deputy Collector and they refused to accept the offer point blank on the ground that it was a very low post for them?—They refused the offer.

42457. On the ground that it was not enough for them?—On the ground that it implied reduced prospects in every way; that their pay in the Opium service is in every way far better than that of a Deputy Collector.

42458. Were not they generally men of very low grades, drawing Rs. 200 and Rs. 300 a month?—No. That was compared with care. Their average pay is very much higher than Deputy Collectors. The pay to which they can rise after a certain number of years' standing is better than that of Deputy Collectors. I do not say that should be the case, but it is the case.

42459. You do not think that the average pay of a Deputy Collector should be less than the pay of an Opium officer?—I do not want to compare the two services. I have already said that I do not think the Deputy Collectors are well enough paid.

42460. Do you agree that the post of Deputy Collector carries more responsibility than the post of an Opium officer?—I do not wish to offer any opinion on the subject. In certain lines there is more responsibility. The Opium officer has very large pecuniary responsibility.

42461. Do you think that as a general rule the Deputy Collectorship should be closed for the members of other services, the irrigation, the post office, the police, and so on? Do not you think that many of the castaways of other services are recruited in this service with the consequent reduction of the tone and morale of the service?—Those who come in from the police are men who have been selected for specially good work. Not many of them do come, because the promotions are controlled by revenue officers who do not want to see their own subordinate officers passed over or losing pay.

42462. From your experience as a member

of the Board do you believe a police inspector generally proves to be efficient as a Deputy Collector, in his judicial work especially ?—His criminal work is likely to be quite satisfactory. Usually the man who is taken would be a court inspector.

42463. Does not his long association with the executive work of the police give him a peculiar frame of mind which makes him unfit to be a good judicial officer ?—I do not think I am entitled to offer an opinion upon that. It is not a matter with which I have to do.

42464. Do you think that the present age-limit for the tahsildar gives him a chance of rising to the top grade of the service ? The present rule is that the maximum age-limit for the tahsildar to be appointed as Deputy Collector is 45, and a man of 44 or 45 is taken ?—I think not. It is rare to take a man close upon the age-limit.

42465. What is the average age at which a man is taken ?—It is much lower than the maximum age-limit. If a man is going to get a Deputy Collectorship he is picked out comparatively early in his career as tahsildar.

42466. In that case would not you lower the age-limit and make it clear ?—I do not think it would make much difference. There might be hardship in some cases.

42467. Are you aware that the system of withholding temporary promotions in connection with leave arrangements not only deprives a member of the Provincial Civil Service of these temporary promotions but entails a lot of hard work upon him because no new men are appointed to take his place ?—I think officiating allowances are a very complicated way of arranging pay. I have already said I prefer a time-scale.

42468. When the Deputy Collector or Sub-Judge goes on leave there is no temporary promotion in connection with the leave ; no one is appointed to take his place simply because there is no temporary promotion in connection with the leave. Does not that entail a lot of hard work on the staff ?—Yes. Very likely it entails another officer taking up the work of two, or the work of two being divided among three. It acts the same for everybody. They have all to take their turns.

42469. In the case of the Indian Civil Service and the police temporary promotions are made ?—Not with reference to the work done, but the vacancies in the grades.

42470. The vacancy is filled up by some officiating man ?—Yes. It bears no relationship to the work done.

42471. In that case the number of the staff remains unchanged, while in the other case the staff is reduced at once as soon as a man goes on leave ?—The number of persons on duty is independent of the number in any grade. The grade counts for nothing in a Deputy Collector as regards his work.

42472. The total number in the Service on actual work is reduced as soon as a man goes on leave ?—I think the effect of your suggestion would be that you would have a system of officiating allowances, temporary grade promotions.

42473. Do you agree with that ?—No. It is very complicated. It is much better to secure due pay by properly regulated grades.

42474. Do you agree that the knowledge of the vernaculars by the Indian Civil Service officers is deteriorating ?—No.

42475. Do you think that the present District Officer has to do more desk-work now than he used to do a decade ago ?—Yes.

42476. Do not you think that for that reason he gets no time to study the people and the conditions of the country and to cultivate a knowledge of the vernaculars by mixing with the people ?—As a matter of fact, I think that at present the District Officers see more people than almost at any time in my experience. The present District Officers associate with the people almost more than they ever did before.

42477. And you think he gets time to do that ?—He gets it in some way. He has to work much harder than they used to do.

42478. Is he not very reluctant to see people when they come to him, especially when his office table is loaded with files ?—He is perhaps reluctant when twenty come. There must be a limit.

(The witness withdrew.)

H. LEDGARD, Esq., President of the Upper India Chamber of Commerce.

42479. *Letter* from the Secretary, Upper India Chamber of Commerce, Cawnpore, dated the 26th February* 1913, *to the Chief Secretary to Government, United Provinces, Appointment Department, Allahabad.*

Consideration by the Upper India Chamber of Commerce of the subject of the Indian Civil Service naturally arranges itself under the following main heads :—

(*1*) The policy underlying the administration of the country.

(*2*) The qualifications and abilities requisite in candidates for the Service.

(*3*) Recruitment, regarded—
- (*a*) as to the popularity of the Service ;
- (*b*) as to the limits of age ;
- (*c*) as to its method.

(*4*) The training of recruits—
- (*a*) during probation ;
- (*b*) after appointment.

(*5*) The separation of executive and judicial functions.

(*6*) The differential treatment of Natives.

(*1*) *The policy underlying the administration of the country.*

The fundamental and most important object of the Government of this country should be the efficiency of its administration. This can only be secured if the administration of India is in the hands of men who are, or have the character of, the best that Britain can produce. In the words of an Indian member of the Chamber " the Government should be carried out exclusively on English, as opposed to oriental principles : we strongly object to all forms of orientalism in the Government of our country. We people have no interest in disorder or weakness—we want our

* The witness put in a copy of this letter as representing his views, with the exception of paragraph (3) (c) which has been altered to express his personal opinions.

Government to be a strong and efficient Government; we want it to maintain the purity, the honour, and the integrity of its services; and whilst trying to fulfil the legitimate aspirations of the people, to guard itself carefully against the temptation to dangerous and doubtful innovations."

The vast amount of capital invested by British interests in the country renders it essential that the confidence of the investor shall be preserved by the maintenance of a thoroughly efficient, and therefore exclusively British, form of administration, and if this is done the safety of purely Indian capital and the confidence of the Indian investor, the Indian trader and the Indian agriculturist will be secured.

The commercial prosperity of the country and the contentedness of India's millions must ever remain the main care of the Government of India, and the clamour of the superficially educated demagogue, and the disappointed aspirant for Government employment must be relegated to their proper place.

(*2*) *The qualifications and abilities requisite in candidates for the service.*

It is in efficiency that the qualities of the Britisher are paramount. Independence, self-reliance, driving power, devotion to duty, promptness of action, ready judgment, fearlessness, straightforwardness, impartiality, and freedom from personal motive,—these are some of the most prominent characteristics of the Britisher of the public school type, the type that India needs. They are not usual concomitants of the Indian character, and they are not secured, whether in India or in Britain, by scholastic attainments and literary examinations. The long experience of the commercial men represented in this Chamber has led to the conclusion that the qualities enumerated above are those required for the successful administration of practical business affairs in India.

No post of management of importance in our manufactories is, with very rare exceptions, entrusted to Indians. Practically all positions demanding strong management are, and must be, filled by Europeans. This reflects no discredit on Indians, who are in many respects excellent employés. They have cleverness of brain, assiduity, patience, adaptability, and capacity for hard work; but a climate detrimental to physical vigour, hereditary character, political history, tendencies that have grown up under despotic rule and are now ingrained, the habit of leaning upon others and of seeking favours of those above them, the influence of zanana and pardah life, strong caste prejudices, the temptation of favouring their friends and fellow caste-men, and the universal expectation that this favour shall be shown, and from which the foreigner is free,—all these things have gone far to impair their efficiency. It will take more than one generation to correct failings which are mostly due to causes over which the individual Indian has had no personal control.

If a leading commercial community has found that success in business administration depends on strong British character and qualities, how much more must this be the case in the administration of national business.

Further, it is almost universally recognised that Indians themselves prefer that their cases be tried by Britishers, if for no other reason than their impartiality and freedom from bias.

(*3*) *Recruitment.*

(*a*) *The influence of the present-day unpopularity of the Service on recruitment.*—If one point is more obvious than another to-day in connection with the Indian Civil Service, it is that it is not as popular as formerly with the right class of British-born boy. The reasons are equally obvious, and may be summarised as follows:—

Uncongeniality of the work.—With the great increase of office work there follows the decrease of camp life with its attractive amenities. It is also certain that the Indian Civilian has to-day, far more than formerly, to assign reasons for the actions he may be called upon to perform. These disadvantages are probably insurmountable, and given other advantages, might be disregarded.

Interference and detraction.—Recent occurrences bring home to the public the fact that with the facilities that are to-day afforded for detraction in the Indian Press, for frivolous questionings in Council and in Parliament, suspensions of executive orders by High Courts on mere affidavits, and the general lowering in the eyes of the public of the dignity of officers by these means, there is a disinclination on the part of the best British classes to submit to these indignities in the Service, and many avoid the Indian Civil Service rather than submit.

Inadequacy of salary.—While the purchasing power of money has greatly declined, while the standard of living and comfort has increased, while the cost of living has gone up enormously, and while these facts have in other services been recognised by improved salaries, the scale of pay for the Indian Civil Service has for the last thirty years or more remained practically the same. The small dole afforded by the compensation for exchange is quite insufficient to meet the extra expenditure entailed. The facilities for taking leave home and for sending his dependants home, and the increased cost both of his own education and of that of his children, render the position harder to the British-born Civilian, and although, in comparison with other services, the salary is good, it is not nearly as good as it was, nor as good as commerce offers, and the need for its improvement is imperative.

Service under and with Indians.—There is no doubt that with the greater influx of Indians to the Service there is a reluctance on the part of Britishers to serve under them. The social aspect of this point is also important, and affects other services, such as the Police, the Public Works, Forests, &c. In large stations where there is a sufficiently large English society this does not so much apply, but the dislike of the present and fear of future conditions is very real in small stations, where, occasionally, a young Civilian may be the only Britisher, while the others either in his service or in other services, may be Indians.

Finally, owing to the policy of reserving a certain number of the better posts in the Service for Indians, the prospects have become less attractive.

(*b*) *Age-limit.*—The present age-limits laid down might also be considered as an additional

reason for the unpopularity of the service. With the age-limit defined as from 22 to 24, failure to pass the examination is practically a bar to many, if not most, of the professions open to the educated classes in Britain, and men will not run the risk involved. But this is only one reason why it is considered advisable that a return should be made to that obtaining in 1878—1891 when the limit was 17 to 19 years. At this age the field of selection is wide. Under the modern stress of life it is incumbent on lads to be earning their living at as early an age as possible, and many cannot afford to wait, as they have at present, till they are over 22 years of age before they can compete for the Service. As a result they enter other services or professions at an earlier age.

With the earlier age, also, will follow an easier syllabus and not so much need for that hard "cramming" that has of late years brought to the Service so many men who have seriously impaired their mental power and physical endurance in coaching for the examination, and thus come out intellectually weakened, less capable of calm judgment or reasoned thought, and less able, physically, to withstand the demands of a new and trying climate.

The reduction of the age-limit will, of itself, naturally exclude a certain number of Indian candidates, but it will not exclude the Indian boy who has been sent to England as such, and received all his education there. This will ensure that the Indian youth who does enter the Service has something more than a thin and brittle veneer of British ideas and manners, and that he has been enabled to adopt that British tone which we submit is so desirable. His early Indian environment will have been largely forgotten and early association with his British school-mates will be more likely to bring about their acceptance of him as one of themselves.

* (*c*) *The method of Recruitment.*—While I consider the present method of Recruitment by open competitive examination is the best method possible to secure the highest scholastic and literary attainments, I also think that something else is desired to, at the same time, insure to the Service that the men sent out promise of proving themselves self-reliant, possess driving power, ready judgment, are straightforward and impartial in judgment.

I am unable to conceive that any attempt to secure these qualifications by nomination or selection can be wholly satisfactory.

I cannot suggest any method of controlling the open competitive examination so as to admit only the most desirable candidates.

Should no satisfactory means of achieving this aim be feasible I would suggest that the possible ill effect on the Service should be counteracted by a more thorough elimination of those who, after admission to the Service, have shown themselves either lacking in the qualities essential for efficiency or in any way unsuitable or undesirable.

This elimination should be carried on through the first few years of service, compensation being paid, if necessary, to those removed after appointment, rather than that men not thoroughly suited to the needs of the Service should be retained.

(*4*) *Training of Recruits.*

(*a*) *Probationary.*—The Chamber expresses its views as to the probation and training of candidates with a certain amount of diffidence. It is, however, felt clearly that a probationary period of not less than two years in England should immediately follow success in the competitive examination. Tests of physical fitness would be essential both before the examination and at the end of the term of probation, which should be spent at one of the Universities. The instruction during probation should of course include law and Indian languages and the acquirement of degrees should be encouraged.

(*b*) *After appointment.*—Any set form of training, to standard, after appointment is deprecated. A young officer of the right stamp will, under proper senior guidance, acquire his own training and experience, which would be tested by departmental examinations. One of the questions asked by the Commission is whether the employment of military men is advocated. There would perhaps be no objection to, and indeed possible advantage might result from, utilising military men in districts believed to be turbulent, and there is no doubt that owing to his disciplinary training the military man is often possessed of qualities sometimes wanting in the Civilian, and the Chamber therefore ventures to submit the suggestion that some compromise might be usefully effected by attaching the young Civilian to a Native regiment for one or two years after appointment. He would receive a disciplinary training, learn something of the management of the Indians, and have a good opportunity of acquiring the languages of both the higher and lower classes, and of studying Indian History. A term passed in a Native regiment will also go far to correct the defect, noticeable in some cases, of an insufficient acquaintance with the courteous manners and ways of the higher Indian social classes, a defect which does not escape the notice of Indians and which, where it occurs, leads to a weakening of the respect in which the official should be held.

(*5*) *The separation of Executive and Judicial functions.*

The consensus of the opinions expressed by the members of the Chamber is that it would not generally be advisable to separate the executive and judicial functions of officers of the Indian Civil Service any further than they are at present separated.

A separation of the functions at the initial, or even at an early, stage in an officer's career would

* This section represents the personal opinions of the witness. The views of the Committee of the Upper India Chamber of Commerce were as follows :—

"The Committee feels that the best results are to be obtained by a modified system of competitive examination, the modification taking the shape of the selection and nomination of candidates by heads of approved schools and colleges in the United Kingdom. It is not intended that this system of nomination shall narrow the field of selection, but that it shall secure the selection of boys whose antecedents are known to be unexceptionable, and whose early training, character, and habits are such as will lead to their being men of the right stamp. The privilege of nomination should be extended to all higher grade schools, and possibly to certain prominent individuals and local authorities, and should be unhesitatingly withdrawn if found to be injudiciously exercised.

"The names of all candidates nominated should be subject to the approval of a Board appointed by the India Office, who should not, however, withhold approval, except for clear and specified reasons."

not only tend to render the Service still more unpopular with British officers but would be most unwise, from the fact that it is not until experience has been acquired, and the peculiar abilities and limitations of an officer have become known, that it can be decided whether his *forte* is executive or judicial work. Only when it is known in what direction an officer's greatest utility lies does it become possible to make the best use of him.

(*6*) *The differential treatment of Natives of India.*

If the opinions already given are to have any logical weight it is necessary to strongly deprecate, in the main, any differential treatment of Indians in the Indian Civil Service. There should be no separate or simultaneous examinations in India. There should be no return to the passing into the service of Indians as Statutory Civilians. There should be, as in the case of British candidates, the same system of selection. There should be the same essential qualifications of antecedents, of physical vigour and of active habits as shown at school. Indian candidates should be sent to Britain at an age at which they are sufficiently young to be able to imbibe and assimilate something of the British tone, and they should, between the ages of 17 to 19, pass exactly the same examination as that prescribed for British candidates.

Above all there should be no appointment of Indian officers to any senior or desirable post merely because they are Indians. There should be no preferential appointment of a Hindu or of a Mussalman to any post merely in deference to local Hindu or Moslem feeling, or to preserve a class balance of any province or division or district. Merit alone should decide any such appointment.

In one matter only it is considered desirable to show any preferential treatment and that is influenced by the fundamental principle that the administration shall remain British in fact as in theory. For the immediate future the complete exercise of this preference would seem to be unnecessary; but provision should be made to the effect that there shall not be less than five-sixths of all the appointments in the Indian Civil Service filled by Britishers. Such Indians as pass in should receive their subsequent training in England, and not as in the case of the British-born Civilian, in India. They would, thus, not be attached to Indian regiments and their training in England would encourage that close contact with practical British life which is regarded as essential.

The Provincial Civil Service.—Turning to the Provincial Civil Service, the only points on which this Chamber wishes to offer an opinion have to do with the recruitment and the qualifications necessary.

All recruitment should be by nomination, and the privilege of nomination should be jealously guarded by Government. None but those of respectable birth and family should be recruited. Educational qualifications are of course essential, and could be guaranteed by either a competitive examination, or by making it essential that the candidate shall have an Indian University degree. Far more stress should however be laid, than at present, on qualifications indicating moral character, physical vigour and active habits. For the rest, it is considered that the rules now in force for the admission of candidates are judicious.

MR. H. LEDGARD, called and examined.

42480. (*The Chairman.*) You are President of the Upper India Chamber of Commerce?—I am.

42481. Have you occupied that position for some years?—On this occasion only for a few months; but I was President for a year some years ago.

42482. Can you tell me how your Chamber of Commerce is constituted?—It represents the commercial community of the United Provinces.

42483. How many members are there?—About sixty.

42484. I understand that the written answers which you have put in are the answers of the Chamber of Commerce?—Yes.

42485. Does that mean the answers of a committee of the Chamber?—All the members were asked to express their opinions and the opinions of those who did so have been embodied. They empowered the committee to frame the replies.

42486. I understand you do not desire to be examined on these answers?—I have no objection to being examined either as an individual or as representing the Chamber. I merely asked which it was to be, because the first intimation I received was addressed to me privately.

42487. So that you are prepared to be examined in both capacities?—Yes.

42488. Your chief argument is that the first essential in the administration is that it should be efficient?—Yes

42489. And you consider that that efficiency can better be secured through the British element in the administration than through the Indian element?—By the British form of administration; I think that was what was intended to be conveyed; a rather broader term than British was meant to apply.

42490. You think that, if the European element is necessary for success in business, it is all the more necessary in the administration of the country?—Yes.

42491. Do you consider there is a political aspect of this difficult problem?—No, we have not considered the political problem at all in this matter. Efficiency has been the chief basis.

42492. Do you think you can exclude the political aspect?—In business we endeavour to eliminate political matters and try to deal entirely, as far as possible, with efficiency.

42493. But would you regard that exactly as an analogy? What I mean by political aspect is the demand made by educated Indians for greater facilities for admission to the administration of the country?—I believe the time will come for that, but I do not think the time has yet arrived for much greater extension.

42494. Would you consider that an administration to be successful, and therefore in a sense efficient, must be based upon the contentment of the people?—Certainly.

42495. We have been told by many witnesses,

and many who are not greatly in favour of the extended employment of Indians, that the standard in the public service is rising, and that the product of the schools and colleges of India is increasingly good. Do you share that view?—I am not able to express an opinion on that.

42496. You say that the Indian Civil Service is not as popular as formerly with the right class of British-born boy. Am I to gather that you consider recent recruits to the Indian Civil Service show any inferiority to those who were recruited years ago?—No, I have not desired to say that. I do not think I should say they are inferior. I mean for various reasons which I might give, which might be taken as comparative. In former days there used to be very much outdoor work which is much more popular than desk-work. The civilian of the olden days was a much more patriarchal ruler of a district than he is now. At the present time he can no longer settle disputes in the fashion he formerly did on the spot in the villages, often in a prompt and summary fashion. He cannot take the same summary steps he used to take in putting down petty crime and trouble in the district. There is generally less finality in his work than formerly. He has to work now more by Act and Code. With the spread of education among certain classes and the enormous increase in lawyers his actions have to be far more guarded, and reasons have to be forthcoming where formerly none were called for. These are merely personal disadvantages to the individual officer and are to be considered from our own point of view. I in no way consider them unnecessary or that they are anything but salutary, but the position exists and probably is one of the causes that makes the Service a little less popular.

42497. What you have just said amounts to this, that the whole system is in a transition stage; that under a more developed system of government, which is indicative of the progress of the country, the duties of the officers in the administration have undergone corresponding change?—Exactly.

42498. It need not necessarily follow that the change will become more unpopular?—No.

42499. It may require men of higher training and better education than was formerly the case?—Yes, it may do, but I am not able to say.

42500. So that really what you refer to is a change which must necessarily come about with the development of the country?—Exactly.

42501. You say that the salaries now enjoyed by members of the Indian Civil Service are not as good as those in commerce. Could you tell us a little more on that point?—One has to generalize a good deal about that. I have come across many members of the Indian Civil Service who have retired from this very coveted Service with very little money.

42502. They retired with a pension of £1,000 a year?—Yes, and very little besides. The pension is to a great extent contributed by themselves during their service.

42503. Have you known instances in commerce of people who have retired after a similar period of years with a better pension?—Yes, certainly, the better equivalent of a pension. They would probably not have pensions, but large sums of money which if placed in some funds would give them pensions for the remainder of their lives of a much larger sum.

42504. You mean that a man who had been employed for twenty-five years in a business would have a capital sum which would enable him to enjoy an income of over £1,000 a year?—He would make or save during his twenty-five years in India more than that.

42505. Would you say there were many instances of that?—I should say many.

42506. What class of employés in business firms would that be?—Merchants, manufacturers, proprietors, and men who had worked their way up and become partners, proprietors, managing directors of concerns, and so on. There would be a very large number of them.

42507. The majority would not attain the coveted position of proprietors?—No; there would not be so many of those. I am speaking of those who attain to the higher posts.

42508. That would be very few, would it not?—I think there are a great number in the larger towns.

42509. What salaries are ordinarily paid to young men who are brought into business houses?—We come across very few young men of the class who go up for the Indian Civil Service examination.

42510. You do not have many university men coming into business?—A few, but not many.

42511. So that the class of men who come into business would not command necessarily the same salary?—Probably not at first.

42512. What kind of salary would they get?—They would probably begin at Rs. 300 or Rs. 350 a month.

42513. Is there a time-scale by which they increase their salaries?—Not usually. There is no fixed time-scale. It would be according to their capabilities and efficiency.

42514. Have not some business houses an arrangement which amounts to a time-scale?—I do not think so. Some come out from England on an agreement of three or five years renewable, if that would come under a time-scale.

42515. What would an average clerk or head of a department of, say, ten years' standing get in an average business?—The head of a department of ten years' standing I should say ought to command Rs. 700 or Rs. 750 per month.

42516. That would not be so much as the Civil Servant?—In the earlier stages he would not get as much, but after fifteen or twenty years' service he would make more money.

42517. More money than the corresponding officer of fifteen years' service in the Indian Administration?—Yes.

42518. Could you tell us what are the leave rules of an average business?—The leave rules, as far as my experience goes, have not been fixed, but the general idea is for the first two or three years a month a year, what would be called privilege leave. In some cases at the end of three years they will get six months' leave, and in some cases it will be four or five years before they will get similar leave. But in these cases the leaves are on full pay, as it is in all cases.

42519. If they go home do they get their passages paid?—Some pay their passages, and

some firms pay their passages both ways, but it is not the rule.

42520. Do they get annual vacation?—Yes, a month.

42521. That is usual?—Yes.

42522. What do they do with it as a rule?—They usually go to the hills.

42523. (*Mr. Madge.*) You attach great importance to the British tone being maintained in the administration of the country?—Yes.

42524. Do you think that if there were any radical change it would affect commercial confidence in the Government?—Certainly.

42525. You have a considerable stake in the country?—Yes.

42526. Do you think that what you and other gentlemen have done has materially increased the prosperity of the country and the happiness of its people?—I think it has very materially.

42527. Also in providing occupation for labour?—The population of Cawnpore is 1,80,000, and the six or seven large factories there employ about 25,000 hands. These with their families represent quite half the population of Cawnpore. That is an instance.

42528. On all those grounds, you think that, if there were any material change in the administration it would not only affect commercial confidence, but the happiness and prosperity of the people at large?—Regarding the first I think that if there was any very great change it would very materially affect the confidence, and if the confidence is shaken the money would probably not be left out here.

42529. Capital is very sensitive on those points?—Capital would probably not flow here or remain here.

42530. (*Mr. Fisher.*) In speaking of the Provincial Civil Service you say that none but those of respectable birth and family should be recruited. When you recruit Indian employés for a firm do you pay special attention to questions of birth and family?—I should probably more correctly put it as people who are looked upon as commanding respect. I do include those points in engaging them.

42531. Do you find that your employés expect the heads of departments and so on to be people of good family?—With one exception all the heads of departments are Europeans. The exception is a Parsi.

42532. (*Mr. Macdonald.*) You said that your employés get a month's leave every year. Would they be employés in the Rs. 700 grade?—Yes, and also Rs. 300 and upwards.

42533. Are any of them married?—Yes.

42534. Upon that salary, with their wives and families, they take their month's leave every year?—Yes.

42535. You have said that if a certain radical change takes place in the country capital would be very upset. What had you in your mind as a definition of "radical change?"—A change in the constitution of the administration; a less efficient administration. If the commercial capitalists had not the same confidence they have now in the efficiency of the administration capital would not flow in and capital would rapidly be withdrawn.

42536. In other words, if they had not confidence they would not have confidence?—Exactly.

42537. Would that radical change take place if we had simultaneous examinations, for instance?—I do not say that it would. I could not say that it would.

42538. Have you heard any proposal made from a quarter that you regard as a serious quarter which, if carried out by the Government, would amount to this radical change, from such a quarter for instance as the National Congress; any specific demand made on the Government which, if the Government accepted, would amount to that radical change which would upset capital in the country?—Yes. I have.

42539. In relation to the administration?—Yes.

42540. I do not want you to answer unless you like, but would it be convenient to you to give me an example?—The idea which has been discussed, and will be probably discussed in the immediate future, that the time has come when India should be more self-governed by an Indian Government. That I think, would be a serious blow.

42541. But would that time come if there were 10 per cent. more Indians in the administration, Indians educated in England?—That is only a comparative case. If the administration of the country were to be all recruited in India it would probably be realised with some alarm and uneasiness, and to the extent that it is done. If it is 50 per cent. there would be less, and if it were down to 10 per cent. there might still be a little in some quarters.

42542. It is a progressive decline?—Yes.

(Adjourned for a short time.)

42543. (*Mr. Sly.*) Can you tell us whether in recent years there has been a substantial increase in the trade of Cawnpore?—There has been a very great increase.

42544. Can you tell us whether the proportion of that trade conducted by European firms has increased or decreased?—The European portion of it has very largely increased; I mean, the portion which is controlled by Europeans.

42545. Has the number of Europeans employed in business in Cawnpore increased proportionately with the increase of trade?—Yes.

42546. It has?—Yes.

42547. Is there any movement in these European firms for the substitution of Indian agency for European agency or not?—For the higher paid posts, there is not. But, I think, there is a tendency for the domiciled European employment to be increased.

42548. What is the class of Europeans employed in the trade of Cawnpore? Are they all experts in all portions of their trade?—The majority are experts in their trade. The senior men, the management, and the directors, are not.

42549. So far as the European firms are concerned, what high positions of responsibility are occupied by Indians in them?—Very few indeed, and those, I think, will be confined to Parsis.

42550. You give us some information regarding the pay that is secured by Europeans in Cawnpore commerce: can you tell us whether there has been any, and if so what, increase on account of the rise of prices, or other causes, in

recent years?—The increase has been considerable. I should say in the last 15 or 20 years it will have increased 20 per cent. Men who came out at, we will say, Rs. 250 would not come out under Rs. 300.

42551. (*Mr. Abdur Rahim.*) You said there were very few Indians occupying high positions in your business. Is there any system of training Indians for those high places in business?—Not so organised as for Europeans.

42552. There is a system here for training Indians for such positions of responsibility?—Whenever an Indian will show that he stands prominently above the others in enlightenment and aptitude for work he gets every opportunity of being pushed on.

42553. But the position he occupies when he enters the Service is generally not such as would enable superior officers to judge of his capacity for doing more responsible work?—No; I do not think there would be.

42554. The European assistants are trained out here?—In my concern a good many, 30 or 40 per cent., are trained out here; but I think my concern is rather exceptional. Most of the other concerns import their men from England.

42555. Are there Indians undergoing similar training as yours?—Yes; two or three.

42556. Have you any Indians who have been trained before in your service, or are there only two or three?—Only two or three, who have been trained by me in my own place.

42557. They are still undergoing training?—Yes.

42558. There have been no other Indians trained like that before?—There have been several others admitted; but they have not advanced sufficiently well to get encouragement to go on.

42559. Are they as well educated as the Europeans? No, I think not.

42560. So that they are not drawn from properly educated classes?—That is so.

42561. You have told us that up to 15 or 20 years' service a European out here in business draws less pay than members of the Indian Civil Service?—Yes, I should think he does.

42562. But does he, at any stage of his career, get more pay than a member of the Indian Civil Service of similar standing unless he becomes a partner?—I should think it is very unusual unless he becomes a partner. He becomes a partner owing to his exceptional ability, and he has a larger increment, of course.

42563. How many places like that are given in partnerships?—In my own concern there would be seven or eight.

42564. Who have been assistants and admitted as partners?—Yes; worked up as partners, and worked up to directors. The company now is a limited liability company.

42565. Out of how many assistants?—That is rather difficult to say.

42566. How many assistants have you?—Fifty-five Europeans altogether. That includes the management,

42567. Have you had experience of the work of Indian members of the Civil Service as Magistrates and Judges out here?—Not a great deal. I have not had experience of their work. Socially I meet them, and have met them for years.

42568. You say that your Chamber is opposed to the separation of the executive and judicial functions. You state what you consider to be a good system and the advantage of that system. Can you tell me if there is any other advantage which you know of beyond what you have stated?—The opinion of my Chamber was that it would be better not to make the separation at the time of recruitment, but that it would be better after they had been in the Service a few years.

42569. Have you had occasion to study these questions as to what the training of a judicial officer ought to be?—No, I am afraid I cannot. I remember the remarks that were made by some members of the committee on the subject; and those opinions were, perhaps, a little more mature than mine. They were of opinion that it was better that the separation should not take place until the men had been in the Service for four or five years. They knew better in which direction their *forte* was, whether executive or judicial.

42570. (*Sir Theodore Morison.*) In connection with one of your answers have you ever known men who elected business in India rather than the Indian Civil Service?—No, I cannot say that I have.

42571. (*Lord Ronaldshay.*) With regard to what you say about the characteristics of the Public school type, do you suggest by that that we ought to restrict recruitment to Public school boys?—No. There are other sources besides public schools, which are probably equally good. For instance, in Scotland they have not the same system of public schools as exists in England. We have some very excellent men, who have come in from the Scottish schools.

42572. I do not understand the object of mentioning the public school type?—I do not think it was meant to imply public schools.

42573. With regard to the suggestion that when young Indian Civilians come out here they might be attached to a Native regiment for a year, or a couple of years, is that to be prior to their two years of training?—No, after. The idea was two years in England after passing their competitive examination; and then when they came out to India to have one year, or a year and a half, or, if necessary, two years with an Indian Cavalry regiment: that, I think, would do them a great deal of good.

42574. But that is prior to their period of training out here. When the young Indian Civilian comes out here he is put under the charge of a District Officer for eighteen months or two years, during which time he has to learn the work and pass his Departmental examinations. I want to know whether this suggested period of a year, or two years, with a Native regiment should come prior to that?—Yes.

42575. Would not that make him rather old?—If the age of the competitive examination were 18 as an average, he would come out here at 20. He would have a year or so with a Cavalry regiment, bringing his age up to 21 or 21½ years.

42576. What would be the idea while he is attached to his regiment; should he undergo some

sort of training as a subaltern?—Yes, a good deal of that; but he would have leisure for studying other work which would be useful for his after life. He would have to study the languages, the higher and lower standards.

42577. (*Mr. Kanhaiya Lal.*) Have you had much experience of Indians beyond those you have come across in the course of your business?—Yes; I have had some experience. I have been in the province 35 years, and I have come across a good number of Indians.

42578. In the course of your replies you have stated that it is almost universally recognised that Indians prefer that their cases should be tried by Englishmen. To what class of case do you refer; criminal, civil, or revenue cases?—I refer, in broad language, to any cases.

42579. Do you mean to say that in all classes of cases Indians generally prefer that they should be tried by Britishers rather than by Indians?—Yes.

42580. What is the basis for forming that opinion?—I have heard the remarks and opinions of people.

42581. The remarks of people engaged in litigation?—Yes, some of whom have been in litigation, and others, when discussing the subject broadly.

42582. You would reserve five-sixths of the appointments for Britishers. Does that remark apply to the judicial or to the executive service?—To the Indian Civil Service, I should say.

42583. Would you make any differentiation between the Judicial and the Executive services in that matter?—No.

42584. Would you reserve five-sixths of the appointments for them even in the Judicial line?—Five-sixths of the staff of the Indian Civil Service at present.

42585. Are you prepared to concede a larger percentage in the Judicial department to Indians considering their knowledge of the country and of the language, customs, and sentiments of the people: do you think that they would be more useful?—I am not prepared to express an opinion upon that point.

42586. I suppose you would reserve five-sixths of the appointments for Britishers, and give one-sixth to the Indians who pass the competitive examination in England?—Yes, I would limit it at present.

42587. Although they may stand higher in the order of merit?—I shall be quite prepared to change my mind when I find that there are a larger number of Indians whom one can classify exactly in the same expressions.

42588. Would you recommend nominations for the Indian Civil Service?—No.

42589. Would you recommend nomination for the Provincial Civil Service?—If I may draw distinction between nomination and selection, I would rather say selection.

42590. You would not have selection for the Indian Civil Service?—No.

42591. You would have competition?—Yes.

42592. Would you have competition for the Provincial Civil Service rather than selection or nomination?—No; I would rather have nomination or selection than competitive examination for the Provincial Civil Service.

42593. You would have selection?—Yes.

42594. Do you not think that nomination has the disadvantage of not securing the best brains and talent, and also has a demoralising tendency on the minds of the people. Is it open to both these objections?—I think something more than competitive examiation is required. Competitive examination alone does not meet the case.

42595. Would something in the nature of limited or qualified competition be better than pure nomination for the Provincial Civil Service?—I could probably express myself better in the few remarks I have put down here. The opinions I have formed of the comparison between English Public schools and Indian schools and colleges is that in England the boys lead a very corporate life, which is a very strong educative. You may take it as a general case the boys who rise to the top of a school or the top of schools, are as a body a very fine class of boys. In India I think that requires some modification. Whereas the boys who are at the top of the school or college, will not all be boys that you can select as a bunch, and say that the lot are all excellent boys. From the competitive examination point of view, but from their points of character they might not all stand the same test. From these you might have to make a selection. Hence, I come to the opinion that for the Provincial Civil Service the competitive examination alone will not do. You want to select the very best boys.

42596. Would you subject the selected boys to competitive examination. We may have nomination first and we can then select the boys and subject them to a competitive test: would you be in favour of that proposal for the Provincial Civil Service?—I am not able to say that.

42597. I suppose you would not subordinate efficiency to birth and family considerations?—I think you require both. You require efficiency as well as character.

42598. Would you subordinate efficiency to birth and family considerations?—No, I think I should take efficiency first; but I think the other is absolutely necessary.

42599. In how many instances within your knowledge have Indians preferred being tried by Europeans?—I have frequently heard it in the number of years I have been here.

42600. Was there a large number of instances or was it occasionally?—Occasionally, I should say. It is not a thing one talks about in every-day life. It is on occasions of conversation and I have frequently heard it expressed.

42601. Was that in connection with criminal or civil cases?—I could not discriminate between the two.

42602. (*Mr. Fasih-ud-din.*) You say that Military officers could be appointed to Civil posts. Do you agree, or not, that the administration has become rather more complex now, and that it requires a special kind of education and a liberal training for a District Officer, for instance, and that a military officer is recruited under conditions which are quite different from those under which the members of the Indian Civil Service are recruited?—Generally, I would not advocate it.

(The witness withdrew.)

KHAN BAHADUR ABDULLAH *ibn* YUSUF ALI, I.C.S., Magistrate and Collector, Fatehpur.

Written answers relating to the Indian Civil Service.

42603. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept it as generally satisfactory in principle.

42604. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I consider that the men should start to work at an earlier age in India; see below, questions (15) *et seq.*

42605. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I would answer the question in the affirmative.

42606. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—I would say no.

42607. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The Colonial Civil Services meant are, I take it, the Services of the Crown Colonies. For the Self-Governing Colonies the Civil Services are recruited on a wholly different principle. I consider that the combination is to the advantage of both Indian and Imperial interests, for the following reasons:—

(*a*) The service of Indians in London and in outlying parts of the Empire will widen their horizon and tend to identify them with the wider interests of the Empire.

(*b*) It would also tend to weaken the prejudices against the Indians themselves. To know is to understand, and to understand is to love.

(*c*) The combined competition offers a wider scope for candidates, and the more the competitors there are to choose from, the better the quality of those chosen.

42608. (6) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in universities approved or otherwise: (*c*) Nomination by headmasters or university authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—I consider the competitive system the best that has so far been devised. It is the least unsatisfactory test of talent and ability. It is the only one that presents the open door to industry, grit, and powers of mental and physical endurance, without racial or other considerations. As conducted for the Indian Civil Service, *viz.*, with a wide curriculum, no text books, and penal provisions against cram in the assigning of marks, I consider that the competition tests not only mental powers, but grit, industry, and physical capacity to work. The riding and physical examinations should further weed out those not fit for Indian administrative life.

If I may be permitted to say so, I entirely agree with Lord Haldane's views in a recent speech of his on democracy and the Civil Service. His remarks have a wider application in their bearing on Indian conditions. Open opportunities to all, and no favour or disfavour to any particular classes: these principles should be held in view both in England and in India. The evidence tendered before the Commission on the English Civil Service is, in this connection, instructive.

The alternative principles proposed in the question violate the principles I have mentioned, and are open to other objections:—

(*a*) and (*b*) If there is to be selection by headmasters of schools or university authorities in the British Isles, obviously all schools or all universities, or all schools *and* all universities could not be included in the scheme. To select special schools or universities would be invidious and unsatisfactory. If Indian schools and (or *or*) Indian universities were excluded, it would be unfair to India; if included, it would be impossible to co-ordinate them with English schools or universities on account of the wholly different conditions in the two cases. Indeed, leaving India out of the question, the co-ordination of schools and universities in the United Kingdom in a single scheme that would be satisfactory would be an almost impossible task. Then, again, school or university authorities might select for other qualities than those we specially require for our Indian services. Indeed, the chances are that they would all select on different principles, and our Services would suffer from the imposition on them of what might be called a "scratch team."

(*c*) and (*d*) If there were nomination combined with selection, the initial stage of nomination would suffer from the same defects as those mentioned in regard to selection, and the final stage of selection would intensify the evils twofold. There would be a sort of double mesh to keep out any particular classes that happened to be in disfavour with the classes in power for the time being.

If nomination were combined with examination, the initial defects of nomination would remain, and a close examination of that character would not give the equal opportunities to brains and ability which an open competition would give.

42609. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—The question has many aspects, the chief of which is the political aspect. As a member of the Indian Civil Service, it would not be becoming for me to discuss the political aspect in public.

From a purely administrative point of view (apart from any political considerations) there is much that can be said for and against simultaneous examinations. A larger number of Indians in the Indian Civil Service would bring the Government more into touch with the people, and thus render its basis broader. This will make

for a smoother working between the executive power and the legislative machinery under Lord Morley's Reform Scheme. If the legislative machinery is permeated with Indian opinion and the executive machinery is not, there is danger of much friction between the driving power and the wheels through which the power is brought into action. The two might tend in opposite directions.

There is no question that those who advocate simultaneous examinations desire to have a largely increased Indian element in the Service. So long as the competitive examination retains its present character and the educational facilities in India are no better than they are, the result of simultaneous examinations will be inappreciable in the direction desired. If simultaneous examinations were accompanied by a closing of the London door to Indians, the results would be disastrous to Indian interests. Judging from the scandals that come to light now and again in connection with university examinations in India, and much oftener in connection with minor examinations, there would be many difficulties in carrying out impartially and without leakage of questions the Indian part of the examination. From this point of view the London examination is absolutely unimpeachable. Unfortunately for India, personation and fraud in examinations occur more frequently than is supposed.

On the whole, if political considerations permit, I would accept the principle of simultaneous examinations as a goal, but I would advise my countrymen to wait for their realization until we are better prepared than we are to work them successfully.

42610. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions ?—No.

42611. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India ? If so, what proportion do you recommend ?—I am wholly against this. It will destroy the solidarity of the Service. Unless the examination by which all candidates get in is absolutely identical, the men we should get would form groups or classes of obviously unequal qualifications and unequal social and administrative standards.

42612. (10) If you do not approve of simultaneous or separate examination in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination ; or (*c*) any other method ? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented ? If so, how would you give effect to this principle ? —I am against nomination or combined nomination and examination. See under question (6). The absolute failure of the Statutory Service, on which all shades of opinion are practically unanimous, is an example for all time in support of my opinion.

The representation of all classes and communities having political consciousness is absolutely essential for all legislative and deliberative assemblies, but is of minor importance for organized services. The members of such services would be misusing their position if they were to act on opinions or wills of their own. Their duty is loyally to carry out, to the best of their judgment, the policy or orders of superior authorities. Of course if any clique or other circumstance results in the undeserved exclusion of any class, the matter should be remedied at once. The principle I urge is : "Equal *opportunities* for all."

42613. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives in India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty ?—I should leave the central recruitment in London in all cases open to all British subjects, including Natives of India.

42614. (13) Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service ? If so, please describe the system that you would propose?—No.

42615. (14) Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent ? If not, please state fully any proposals that you wish to make in regard to this matter ?—Yes.

42616. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a university course, or candidates at an intermediate stage of education ?—In the discussions of 1874-5 the question of the age-limit was fully threshed out, and the views of both the advocates of the high and the low age-limit will be found. As the Commission will have the original documents, I shall do no more than refer to the arguments *pro* and *con*.

My own view is that the lower age-limit should be preferred,—say between 19 and 21. That would mean candidates mostly at the stage between leaving school and taking a university degree. I would have a probation of only one year in England, but I would not oppose the abolition of the English probationary period altogether. The extra culture and finish in England is undoubtedly useful from an individual point of view, but it does not help much towards training for the Service.

All that it is necessary to learn of the Indian languages *outside India* can be learnt in a year but it can be dispensed with without much harm.

On the other hand, the acquisition of a knowledge of India *from books* and *before arrival in the country* is at best of little use. Most of the current books on India give imperfect or incorrect impressions of the country. Rather than stereotype second-hand knowledge of that kind, it is much better to allow young men to come out with some illusions it may be, and form their own impressions.

Hard work, especially hard mental work, tells seriously on a man's health and energies in this climate after 40 years of age, and if he comes out at 25, he would only have 15 years of full physical energies, and that would be spent mostly in subordinate positions. This is not fair either to the men or to the Service. I would start them at 21 or 22 at the latest. Soon after 40 they should be fairly near the top.

42617. (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—I think that the men with a lower age-limit came out with more open minds about the country and their work. Their zeal, ambitions, and aspirations were fresher.

42618. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—I recommend no differentiations. I think that what applies to the one case applies to the other. The lower limit would enable Indian candidates (like other candidates) who failed, to obtain other employment more easily.

42619. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I fully accept the principle mentioned by Lord Macaulay's Committee.

42620. (21) Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age, and (*b*) of university-leaving age?—Italian used not to be on the syllabus. I am glad it is included now. I think for the Indian Services a man with a facility for the living languages is more suited than one without that facility. The point is not very important, but if Portuguese, Spanish and Japanese were proposed for inclusion in the syllabus, I would heartily support the proposal.

The science subjects in the present syllabus are treated more adequately than they were before. The addition of geography is in keeping with recent developments of that science. Sociology and statistics are further subjects that I suggest have risen to the dignity of sciences and deserve inclusion. I am not sure about Comparative Law and Legislation: they might be useful as optional subjects.

42621. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

42622 (23) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions?—The original idea underlying the constitution of the Indian Civil Service was that it was to be a *corps d'élite*, charged with the direction of the country under Parliament and the Ministry at home acting through the Viceroy. Many inroads have been made into this idea, and I disapprove of them. Extend the opportunities for entry into the Service as widely as possible, consistently with the very highest standards; but you cannot ignore the plan and purpose of the scheme altogether without depressing the Service and adversely affecting recruitment.

42623. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I think the principle referred to is wrong, as it introduces differentiation on racial lines. Where Indians are fit, from both the administrative and the political point of view, I think they should always have a free opportunity of serving their King and country.

42624. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I think that it is both right and proper, both just and necessary that better prospects and emoluments should be opened out progressively to the Provincial Service; but I would do this rather in the direction of a

devolution of higher powers and responsibilities on them than by anything that tends to a confusion of the spheres of the two kinds of services.

42625. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No. Every one seems to be agreed as to its failure.

42626. (29) What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—(*a*) Military officers. None. (*b*) Provincial Service men in listed posts. They are generally promoted to the listed posts too late in their service to adapt themselves to their new conditions.

42627. (31) If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced, or re-introduced, to what extent should it be adopted?—Decidedly not.

42628. (32) Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—Such confusion of services is, in my opinion, unnecessary and inexpedient.

42629. (36) Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—I think not. It is not likely that we should find many men outside the services who would, if already successful, accept listed posts; if not already successful, they would hardly be useful in listed posts. In the case of men at the threshold of their careers it is best for them and for the service that they should work through the mill.

42630. (37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction:—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—(*a*) and (*b*) I have heard of no dissatisfaction on that score, where the emoluments and position are not affected. The advantage of the merging is that the Indian Civil Service would then be able to maintain its distinct position as a *corps d'élite*.

42631. (43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The probation in England is used partly (*a*) as a breathing space between a stiff examination (the open competition) and the work in India, (*b*) partly for university or other studies not directly bearing on the work in prospect, and (*c*) partly for preparation for the final examination. I do not think that the probation in England is very useful from a service point of view, and I would not, in any case, extend the period beyond a year. I would favour its abolition.

42632. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university?—If probation in England is allowed at all, men might spend it at an approved university as usefully as anywhere else. But the period would be too short to give men (who have not already commenced it) a university training in the proper sense of the term. A year in London at the Oriental School and at the Law Courts would, in my opinion, be more useful.

42633. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—I have advocated the abolition of the English probation. If it is maintained, I think an allowance of £100 *per annum* may be granted, subject to a study of the vernacular, of Indian Law, Indian History and Geography, and Accounts (either general or Indian, through the India Office).

42634. (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No.

42635. (50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a university course?—Yes, to both questions.

42636. (51) Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—(*a*) I would make Hindustani optional for *all* candidates, and not merely for those assigned to Burma. It would of course be compulsory for the Hindustani-speaking provinces. (*b*) I have recommended no modifications.

42637. (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(i) The English working of Courts of Law is so different from that in India that I do not attach much importance to this. The attendance

however may be useful. (ii) I would strongly recommend this. (iii) Grammar, text-books, and colloquial instruction should proceed *pari passu*. (iv) (*a*) Indian Geography would be useful. (*b*) Political Economy, as a theoretical subject, need not be compulsory, as economic conditions in India elude the principles of the text-books. (*c*) Accounts would be useful, but particularly so, if the India Office can give facilities to the candidates to see something of the Indian system of accounting.

I would add a study of census and other reports to be listed from time to time by the Secretary of State.

42638. (53) Do you consider that the probationers' course of instruction can best be spent in England or in India?—In India, most decidedly.

42639. (54) What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—There would not be much scope for such a college. The training is best carried out as close to the actual work as possible. The vernacular, too, is best learned in the province in which it is currently spoken.

42640. (55) What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I cannot support the proposal. Such training usually degenerates into a theoretical course of which a great part has to be unlearnt in practical contact with work afterwards. A month or two at head-quarters may be useful if spent in getting a very cursory insight into how the centralized machinery of administration works at the centre.

42641. (56) In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—Yes.

42642. (59) Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

42643. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Yes, on the whole. But it would be an advantage if junior Civilians act for a time during their probation as personal assistants to senior Collectors so as to see the details of all branches of a Collector's work.

42644 (61) Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—I think the existing arrangements suitable.

42645. (62) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—No deterioration compared with the last generation, possibly improvement. Comparisons with the early days when Europeans outdid the social customs of the country are neither fair nor to the point. In this province European officers possess as much knowledge of the vernaculars as is necessary for their work.

42646. (63) Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—I do not think that the book proficiency, which is tested by those examinations, is of any advantage in one's work. I cannot see that any changes in the rules would improve matters.

42647. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I think that both executive and judicial officers possess as much knowledge of the law as is necessary for their work. Indian law is in most departments codified, and any educated man can with a little industry ascertain what the substantive law is. It is on points of procedure that trained lawyers usually criticise the members of the Service. In my view, these points of procedure are comparatively unimportant, although of course I advocate their careful study and observance. The study of law in Europe would be of no use whatever, nor would attendance in a barrister's chambers. The conditions in Europe and in India are so different. There are no solicitors in these provinces (and in mufassal India generally). A common-sense administration of common-sense law is of far more importance for the real ends of justice than a punctilious regard for forms and procedure.

42648. (65) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—I think they might undergo a special departmental examination in law. I think also that the reporting of cases by junior Civilians required in these provinces since 1910 might be dispensed with in the case of Civilians going to executive posts. As the bifurcation between the Executive and Judicial branches takes place long after the stage at which this reporting takes place now, it would be best to defer the reporting and the

special legal training to that stage. A higher standard could then be rightly exacted as the men concerned would have to specialise in law. A course of training with the Legal Remembrancer, as proposed by Sir John Hewett, would also be of material value.

42649. (66) Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—I do not.

42650. (67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—It would be distinctly useful. But it should be voluntary and be open to both branches of the Civil Service.

42651. (68) Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No.

42652. (70) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

42653. (72) The present theory underlying the conditions of service in the Indian Civil Service is that:—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the principle. I think the eight years' period would be suitable if men began their actual service at 21 or 22 years of age. If, as they do now, they begin older, the period should be reduced to that extent.

42654. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—Subject to what I said under question (72), I accept this principle, except that the limit of Rs. 1,000 should now be raised to Rs. 1,400 or Rs. 1,500 along with the salaries of the Service generally. The scale of Civil Service salaries was fixed long before the rise in prices and in the Indian standards of expenditure, and now requires revision.

42655. (74) Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and if so, what has been caused thereby to the Administration?—Can only be answered in detail at head-quarters.

It is certain that the rate of promotion in these provinces is very far behind what it should be in accordance with the principles referred to.

42656. (79) Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?—Yes.

42657. (87) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The promotion in these provinces is cruelly slow, especially in the junior ranks. At least one man of 1895 (over 17 years' service) is still only substantive Joint Magistrate. Probably 10 years' men will not get even officiating appointments to superior posts during the coming hot weather. In practice an officer does not begin to officiate continuously in a superior post till his 12th, 13th, 14th, and even 15th year. This is bad both for individual officers and for the administration, as the men get discouraged.

I think that inefficient officers (*i.e.* those passed over for the higher posts) should be compelled to retire when they have earned their full pension, and should have the option to retire at an earlier stage on a proportionate pension (*i.e.* a pension bearing the same proportion to £1,000 as their total service bears to 25 years).

42658. (88) To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—The Judges do no executive work, but do a good deal of administrative work connected with their offices. They are also *ex-officio* Registrars of documents. The executive heads of districts perform almost wholly executive functions: they have magisterial powers, but they are seldom exercised except for purposes of revision or of appeal from Magistrates of less than 1st class powers. They have also powers of revenue courts, but they seldom take *original* revenue court work.

I do not advocate any change.

Joint Magistrates and Assistant Magistrates have some executive duties, but their time is chiefly taken up with criminal and revenue cases. It would be an advantage if they had less case work, and more time to take up whole departments of responsible executive work.

42659. (92) Are the present rates of pay and grading suitable? If not, what alterations do you

recommend?—See under questions (93) and (94).

42660. (93) If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—The dissatisfaction is with the rates of pay, but of course the question of grading is intimately connected with the question of pay.

The tables in Appendix VIII to these questions show how unequal both the pay and the grading (Table DD) are in the different provinces. This adds to the inequalities caused by the uneven flow of promotion in different provinces. As regards grading, Madras seems to be most favourable to the Service. There is no reason why all provinces should not in this respect be equalised for an Imperial Service like the Indian Civil Service.

42661. (94) Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—Yes. See under question (93).

42662. (95) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—It should be abolished for all future recruits.

The racial lines on which it is granted are inequitable, and have caused much dissatisfaction to Indian members of the Service. For example, an Englishman, unmarried, who has no remittances to make to England, gets exchange compensation allowance, while an Indian domiciled in England, whose family are in England, and the greater part of whose salary has to be remitted to England, gets no exchange compensation allowance. This injustice should be remedied retrospectively, so as to put Indian and English members of the Service exactly on the same footing.

42663. (96) If abolition is recommended with compensation in the form of increased salaries what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—I advocate increased salaries on other grounds—see under question (73). In any case whatever increase is granted should be granted to all members of the Service equally—see also under question (95).

42664. (98) How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?—I would maintain the system.

42665. (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I do not favour a time-scale. Under a time-scale system there would be a tendency to leave men in the same place or kind of work for an unnecessarily long time, and we like a little variety and added responsibility in our work sometimes. Also, it would complicate appointments to selective posts.

42666. (100) As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—This would be less objectionable than a time-scale pure and simple, but I do not recommend it.

42667. (104) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—I approve of the present arrangement.

42668. (106) Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Since the introduction of combined leave in 1901, fewer members I think take privilege leave pure and simple, and such privilege leave as is taken by itself is of shorter duration. This is my impression: I have no figures before me.

42669. (107) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I have no figures for the first question.

A revision of the leave rules is under official discussion, the proposal having originated from the Government of India.

When privilege leave is combined with other leave, the Civil Service Regulations [Art. 233 (ii) and (iv)] lay down a minimum of 6 months. This restriction should I think be abolished. In that case a great many men will take 4 or 5 months' combined leave: this will suit both their personal convenience and (I think) the convenience of the Administration.

I would also allow the accumulation of privilege leave without restriction: the present restriction to 3 months will be found in Art. 251 of the Civil Service Regulations.

42670. (110) Do you recommend any change in the concession granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—If the scale of salaries is raised the furlough allowances will be raised automatically, and the present concession will not be necessary.

42671. (118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—I should say yes.

I accept the principles laid down by the Secretary of State on this subject in 1871.

The only exception is the annuity of £1,200 granted to Civilian Judges of the four High

Courts after 11½ years' service as such Judges. This exception was introduced in 1899 to equalise the position of Civilian Judges with that of non-Civilian Judges.

If the scale of salaries in the Service generally is increased, the annuities will rise automatically. If the rise is to £1,200 or more I shall welcome the disappearance of the exception. If Civilian High Court Judges in that case get over £1,200, it would not be inequitable, as they have a long period of previous service to their credit, compared to none in the case of non-Service Judges.

42672. (122) Do you consider that a similar system should be applied to the cases of high executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—No. See under question (118).

42673. (124) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—See under question (87)—last paragraph of my answer.

42674. (127) Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—The question is hardly of any importance in these provinces. In April there will only be three Statutory Civilians left, and they will all have retired in two or three years.

42675. (130) In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—It is inequitable and invidious to exclude the Indian members. The difference in the "social conditions" referred to does not apply to a single one of the Indian members who were recruited in England, as far as I know. To safeguard the liabilities of the Fund against a legally possible marriage other than monogamous, a stipulation in that behalf may be added to the Indian members' covenant, as a condition to their admission to the Family Pension Fund.

42676. (131) Do you recommend that such admission should be optional or compulsory?—Compulsory, on their entering into the stipulation mentioned under the last question.

Or perhaps it might be made simply compulsory as in the case of European members, and the regulations of the Fund should provide the safeguards I suggested. But I have no objection to optional admission if it is not ruled out on actuarial grounds.

42677. (136) Are you satisfied with the existing organization of the Indian Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable?—A review of the present position of the Indian Civil Service compared with the objects held in view in its institution causes much ground for dissatisfaction. Many flank movements have affected its position and dignity; among which may be mentioned the following:—

(i) The growth of many scientific and technical departments, the control of which is no longer in the hands of the Civil Service.

(ii) The gradual loss of control of such departments as police and education, without any relief from responsibility in respect of them.

(iii) The nominal development of municipal government, coupled with the rise of non-official chairmen who represent purely sectional interests.

(iv) The rise of elected councils, in direct touch with the central Government. In the old days the District Officer represented and spoke for all classes, as he still does. Now the elected councillors, representing sectional interests, have easier access to the central Government. Sectional interests therefore are able in many cases to override general interests, which is neither good for the people nor for the administration.

(v) The centralization of Government also weakens the hold of the District Officer on his district.

(vi) The large number of posts below that of the District Officer (in the executive line) held by members of the Indian Civil Service, and the tendency to create posts below that of Sessions Judge (in the judicial line) to be held by members of the Service, while at the same time the Provincial Service get increasing access to Collectorships and Judgeships, and gentlemen from outside the Service or from England are selected direct for posts of much higher dignity and emoluments.

(vii) The increasing administrative intervention (as opposed to control) of the Secretary of State.

(viii) The deterioration in the *real* value of emoluments enjoyed in the Service compared with those enjoyed by successful men at the Bar or in business.

2. Some of these tendencies are inevitable (*e.g.* the rise and development of technical departments), and others I would cordially welcome (*e.g.* the growth of measures for self-government) if the appearances corresponded with the facts. But others again are remediable, and require very close examination.

3. The greater part of the average Civilian's official life is spent either as District Officer or as District and Sessions Judge. What may go before is by way of preparation and what may follow is by way of a prize. These positions may therefore be considered typical, and should be strengthened as much as possible. Anything that weakens them reacts on the position and efficiency of Government. And the more the Government enlarges its functions (*e.g.* in the matter of education, sanitation, agriculture, and industries), the more is it necessary that the district as the unit of administration should be closely knit together and its head have the complete confidence of Government. Otherwise there is dissatisfaction in the Service, friction in the working of the administrative machinery, and discontent among the people.

4. It is a tenable argument to say that with the development of communications, the district should no longer be the unit of administration, but a larger unit is practicable, *e.g.* a Commissioner's Division. If that view prevails the Indian Civil Service should only be recruited for Divisions (both as regards executive and judicial

service), and all district posts thrown open to the Provincial Service, Civilians only occupying those posts by way of preparation, as they do in the case of subdivisions of districts now. The Provincial Service qualifications would have to be raised considerably, but the reorganization on the whole may be economical to Government, as fewer members of the *corps d'élite* (the Indian Civil Service) would be required. But it seems to me to be against sound principles to confuse a Service with inferior qualifications with a Service with higher qualifications.

5. It will be understood that in my view the question of the larger employment of the Indians in all the Services in their own country is quite independent of the question of increasing or maintaining listed posts. I am naturally in favour of as large an employment of Indians as is consistent with efficiency. I approve of no artificial limits unless they were necessitated by political considerations, which I do not consider myself free to discuss. But I do say that a jealous regard for the rights, privileges, and dignities of the premier Service will enure as much to the benefit of Indians as to that of their British fellow-subjects, and if their justification is good government, it will advance the interests of the people as well as of officials. The Indian Civil Service should be strengthened and individual members—Indian as well as British—given every cause for contentment and for pride in their work, their positions, and their career. At present perhaps the Indian members occupy a somewhat anomalous position; in the matter of the Family Pension fund and the exchange compensation allowance their status is not the same as that of their European colleagues; they cannot be appointed justices of the peace for the mufassal under section 22 of the Code of Criminal Procedure; the volunteer corps do not enrol them; and there is some dissatisfaction among them in the matter of the stations to which they are posted. I am speaking of course purely impersonally. Their position as *uitlanders* must gradually wear away as the Service is more leavened with them and they succeed in winning more and more the confidence of the Government and of their brother officers.

6. In speaking of the further leavening of the Service with Indians, I am not advocating merely sectional interests but a broad statesman-like policy which should strengthen the Service as well as bring the people and the Government more into touch with each other. There is one important class of the Indian people—the professional and educated classes generally—with which the Service as a whole is not in as close a touch as it should be. It therefore misses their point of view, which through the press, the platform, and the Councils, exerts an increasingly important influence on the country. To be isolated from that influence or to ignore it because of its occasionally untenable claims is a mistake in policy and does detract very considerably from the true ideal of efficiency. It also retards the growth of that inter-racial co-operation which is absolutely essential for India and the Empire.

7. These are large and serious issues which I have endeavoured to place before the Commission in as impersonal a spirit as possible. It is easy to invest such questions with passion and prejudice, nor will multitude of counsel from Οἱ πολλοί go very far towards their solution. But the ship of state can count on the assistance of seasoned mariners, surf-tossed men who have buffeted the waves and breasted the currents, and know which would be the straightest course to steer.

MR. A. YUSUF ALI called and examined.

42678. (*Chairman.*) You are Magistrate and Collector at Fatehpur?—Yes.

42679. You are a member of the Indian Civil Service?—Yes.

42680. Where were you educated, in England or in India?—In the early stages I was educated in Bombay. I passed the B.A. examination at the Bombay University. I then went to England and joined the University at Cambridge. I also joined the Inns of Court, and practically simultaneously I took my University degree, my Indian Civil Service competition, and my call to the Bar.

42681. How many years have you been in this Service now?—Seventeen years and a few months.

42682. To what province do you belong?—Bombay, originally.

42683. You have done all your service in these provinces?—In the United Provinces, except short periods with the Government of India in the Secretariat.

42684. Do you consider the competitive system the best which has been so far devised? I gather you would like to see a more strict system imposed and a higher standard in riding?—I think so.

42685. You think that the medical examination might be made rather more strict?—Yes, I think so. That is to say, if it is found by experience that the present medical examination admits men who are not fit for the Indian climate. I do not know whether it does.

42686. Is that proposal based upon any experience of your own?—I have not noticed anyone about whom I could say that if the medical examination had been stricter he would have been excluded from the Service. I merely make this suggestion to meet the argument that men do come out to India who are not physically fit for India. If that is so I would make the medical examination stricter instead of having selection which might lay the door open to other considerations.

42687. You would say that even if the examination were made stricter you do not know anybody who would be cast on physical grounds?—No.

42688. You would have equal opportunities for all; but you would not press for the immediate introduction of any system of simultaneous examinations?—Because I do not think it is possible to hold them under the conditions and safeguards which would absolutely ensure those examinations being carried out in the way they are carried out in London. I believe in the principle, but I do not think it is possible yet to introduce it with any chance of success: and if it were introduced prematurely it might prejudice the question for the future.

42689. Is there any particular way which

occurs to you by which greater facilities might be given for Indians to enter the Indian Civil Service?—Yes; I should say a very free grant of scholarships to men who have shown particularly brilliant results in their university career in India would greatly tend to increase the opportunities for the poorer class of Indians.

42690. How many such scholarships do you suggest might be granted in a year?—That is entirely a financial question. If the finances permitted I would permit two sets of scholarships for each major province and two scholarships for all minor provinces combined; Bombay, Madras, Bengal, Bihar, United Provinces, Punjab, Central Provinces and Burma, total 8. That would mean 16 for these and 2 for the minor provinces combined; 18 in all. It would be subject, of course, to financial considerations. It might have to be cut down to 8 or 10.

42691. Then you would lower the age-limit and get men out to India at 21 or 22 at the latest?—Yes.

42692. You think that men of the lower age-limit come out with their minds more open?—Yes.

42693. And that they are ready to fall in with the traditions of the country?—Yes; and also the traditions of the Service.

42694. You are not in favour of any probationary period?—Not in England. I think the best probationary period is the early period in actual touch with the work.

42695. You would keep the probationary period in England for one year?—If it were necessary; but I do not think it is necessary at all. I would shorten it to one year if the probationary period is kept.

42696. Do you think any useful purpose is served by a probationary period of one year, except that of rest after the labours of the examination?—Possibly a man who knows that he has to enter an Indian career might read up literature on the subject of India or seek the acquaintance of people connected with India; and in that way it might be useful. But I do not think that usefulness is sufficient to warrant the probationary period of one year in England.

42697. You lay stress upon the early training in India?—As it is done at present.

42698. If it was found impossible to have a competitive examination between the ages of 19 and 21 owing to its interfering with the University course, would you favour reducing it still further down to the school-leaving age, 17 to 19?—Yes, certainly. I mentioned that as the latest age. In fact I should prefer the earlier age, leaving out the University altogether. I do not think the University education, however good it is from an individual point of view, is necessary or useful from the Service point of view.

42699. If the age was 17 to 19 you would not have a probationary period in England?—I think not.

42700. You do not favour very much the University course?—From the point of view of efficiency of administration I do not think it is necessary. Moreover, my own experience is that men who come from Universities have possibly already made up their minds upon some of the questions upon which it is desirable that Englishmen should come out with their minds open.

42701. You contest the idea that the knowledge of Indian languages possessed by Europeans has deteriorated?—Yes, certainly in these provinces.

42702. Are you in a position to judge upon this point?—Only so far as the last two decades are concerned.

42703. From your own experience and observation do you say that Europeans can talk the languages as well as they formerly could?—I think so, subject to the reservations I have mentioned.

42704. You complain of the block in promotion in these provinces especially in the junior ranks. Have you worked out at all to what this block is due?—Yes. As far as I can find out, originally the block began on account of the losses in the Mutiny. A large number of men in the Civil Service were killed in the Mutiny, and in the generation following the generation of the Mutiny-Civilian there was excessive recruitment. When the result of that excessive recruitment worked off there was another boom about the time I joined. In fact, I selected the United Provinces for my province because it looked to me as if the chances of promotion were particularly bright; but I did not calculate that after a time there would be a severer block than ever; and that block has now occurred.

42705. The posts of Settlement Officer which you have in this province and which carry grade pay *plus* an allowance, are not always occupied by senior officers, are they?—They are practically never occupied by officers above 20 years' service. Usually they are occupied by officers of ten to twelve years' standing.

42706. They are usually occupied by officers who if there was no block ought to be occupying superior posts?—Yes.

42707. But owing to the block many of these officers are not occupying superior posts?—That is so. For instance, the Settlement Officer in the Fatehpur district, where I come from, in a normal period would occupy a superior post continuously, but as things go if he were not in this Settlement he would probably revert in the cold weather from the charge of a district.

42708. Are you satisfied now with the arrangement by which two Deputy Commissionerships are paid at only Rs. 1,000 a month?—Yes; they get special stations. It is usually either a man whose health has broken down and who wants to go to the hills, or a man with a family who wants to get away, and he is quite content to take them.

42709. They are regarded rather as relief posts?—As prize posts I might almost say. People apply for them under certain circumstances.

42710. But they do not carry with them the usual salary, do they?—No. But there are other amenities.

42711. Can you explain to us shortly your objection to a time-scale? If a time-scale were introduced in compartments such as you have seen has been advocated by other witnesses, would that remove your objection?—I think that would considerably remove the objections I have stated in answer to question (100). But even so, there is

always an advantage in moving up as regards one's work as well as one's salary; and under a time-scale the tendency would be to keep a man at the same work because his salary would automatically adjust itself.

42712. Is not that the case already? Do not officers move say from the 3rd to the 2nd and the 2nd to the 1st grade without selection or change of work, but in an irregular fashion, whereas under a time-scale, the same would be the case, only the increments would be regular?—That is so; but there is this difference. A man who is in charge of a district might get periods of Secretariat work. The time-scale would work automatically according to the number of years. If you have a time-scale by compartments I do not know how you are going to adjust that. Supposing a man has one year's Secretariat work between a district and another district, I do not know under what compartment his work will have to go. It would be rather a difficult matter. I do not think from the point of view of the Finance Secretariat the time-scale would be favoured. But of course that is only a matter of procedure.

42713. You think it would entail certain complications?—It would entail a great many complications.

42714. But can you suggest any means by which your block can be removed without the time-scale?—I should like to suggest two methods. First, as the Indian Civil Service is an Imperial service there should be a fairly free interchange of officers between one province and another and, also, if possible, between the Indian Service and the Service in the India Office in London. Secondly, I would suggest proportionate pensions at the option of men who have completed 15 or 20 years' service. Obviously if there is a great block and the 15 years' service men see no chance of getting into the 1st grade Collectorships or Commissionerships, they would retire at 15 years' service with a proportionate pension. That would considerably ease the block.

42715. I do not see how the interchange of officers between provinces would relieve the block?—Suppose promotions were fairly quick in Bombay. A man of 8 years' service is a permanent Collector in Bombay. You draft a man of 10 years' service from another province, where he is not a permanent Collector. In Bombay he displaces a man of 8 years' service, and becomes a Collector. In that way you will have 9 or 10 years' men becoming permanent Collectors. These men going away their vacancies in their own provinces would be filled up by men junior to them.

42716. Would this not give rise to difficulties of language and conditions in different provinces?—I certainly recognise that, that if you draft men who occupy, or ought to occupy, superior posts, those difficulties would be minimised. Practically in all provinces the important work in the higher posts is now done in English. I have sufficient faith in the men of my Service to believe that they would probably adapt themselves to the new conditions easily.

42717. Yours is a more drastic scheme which you suggest as against the time-scale, is it not?—It has been tried before. When the last block was on in these provinces some men were drafted to Burma and to other departments.

42718. Did these interchanges prove successful?—Apparently. It was before my time. I am only speaking from hearsay.

42719. You say that the members of the Civil Service are gradually losing control of such departments as the Police without any relief of responsibility. Is it your experience that District Magistrates now do little in the way of police work compared with what they did in former years?—The direct control is with the Superintendent; but the responsibility is still with the District Magistrate. Practically all important orders have to issue with the concurrence of the District Magistrate and therefore the responsibility being with the District Magistrate the conscientious man has to do practically as much as he had to do before, although it does not show on paper.

42720. If he has an experienced Superintendent of Police he can entrust a great deal of the detailed work to him, can he not?—Yes, it would depend upon the man. But there are many things in which the rules expressly require the District Magistrate's concurrence.

42721. Can you tell us whether there is a tendency in this province for the magisterial work formerly done by second or third class magistrates to be done by honorary magistrates?—The Government has tried to extend the field of selection for honorary magistrates, and quite recently they appointed in the time of Sir John Hewett a large number of fresh honorary magistrates. We can say that the number of honorary magistrates is greater; but I am not prepared to say that there has been any real relief to the criminal work of the district by the appointment of these fresh honorary magistrates. The kind of cases that go to honorary magistrates are cases that would not probably have gone to the courts at all. They are very petty cases.

42722. Have you no cases in this province where honorary magistrates have first class powers?—There are some honorary magistrates with first class powers.

42723. Would they not help in the work?—Yes, to a certain extent. I have no experience of any honorary magistrate of the first class myself. Mostly, I think, it is benches of honorary magistrates that have first class powers.

42724. Would not a bench of magistrates with first class powers relieve the stipendiary magistrates?—To a certain extent, but I do not think litigants are eager to go to a bench of honorary magistrates. I have frequently had cases in which parties desired that their case should not be sent to honorary magistrates, partly because no doubt the work is not so expeditious in an honorary magistrate's court as it is in a stipendiary magistrate's court.

42725. There is a point I should like to bring out in your answer to question (136) where you review the transition stage of the present system of administration and the changes it has undergone. I gather from paragraph 4 of your answer that you throw out a suggestion that the district should no longer be the unit of administration but that a larger unit is practicable, *viz.*, a Commissioner's division?—I did not actually

make that suggestion. I say that the suggestion would be a tenable one if it was desired to diminish the number of posts to be held by the *corps d'élite*. I indicate the way, if you want to be content with fewer Civilians; it is possible to do so by making a larger unit, and making your members of the *corps d'élite* responsible for it. It would be possible because of the growth of communications and the facilities of travelling, but I do not suggest that at all. I would rather that the present districts remained.

42726. You only suggest this on the assumption that the cadre of the Indian Civil Service is going to be reduced?—Yes.

42727. (*Lord Ronaldshay.*) You said that you would be in favour of granting scholarships to Indians in order to enable them to compete more successfully at the examination in England; and you also told the Chairman that you were rather in favour of reducing the age-limit of the examination to 17—19?—Either 17—19 or 19—21; anything between 17 and 21.

42728. If the age-limit were reduced, at what age would you grant scholarships to Indians?—I should grant these scholarships about three years before the minimum age-limit. Supposing the minimum age-limit for the competition were 21, I should grant the scholarships at 18. Supposing it was 19 I should grant them at 16.

42729. Supposing the age-limit were reduced to 17—19, as has been proposed, you would grant the scholarships at 14?—Yes.

42730. That is to say, you would send them to England as school-boys?—Yes.

42731. And these scholarships would be for a course at an English Public school?—Yes.

42732. Do you think that Indian parents, generally speaking, would raise any objections to stending their sons to England at so young an age?—Not when they are under the supervision of the Secretary of State, as these scholarship-holders would be.

42733. Have you ever thought what sort of arrangement might be made for them during the holidays?—I should leave the students a fair amount of freedom in that matter, provided they showed they were not misusing their time. I should leave the student a perfect choice as to whether he would travel on the Continent, or, say, go to Scotland.

42734. I am talking of a boy of about 14 or 15. Would you allow him to travel about the Continent alone?—He might join a holiday party. There are several such parties organised in England.

42735. You say that the study of law would be quite useless for a candidate for the Indian Civil Service?—Yes, practically useless.

42736. You yourself were called to the Bar?—Yes.

42737. Have you found that that has been of no value to you in your career as an Indian Civilian?—I do not think it has.

42738. What was your idea in being called to the Bar?—Originally I did not intend to go in for the Indian Civil Service. It was an afterthought. I intended to go in for the Bar all along.

42739. You would not recommend them going in for a course of law for the Indian Civil Service?—It might be useful from an individual point of view. If the men were going in for the Judicial Service it would be very necessary indeed.

42740. With regard to leave rules, I see you recommend, when privilege leave is combined with other leave, that the present regulation which says that a man must take a minimum of six months should be altered. That is only one alteration. Are there any other alterations which you can suggest in the existing leave rules?—I think I have suggested that it should be possible to accumulate as much privilege leave as a man likes.

42741. But would you be in favour of a man having a leave ledger, and being entitled to take as much leave as he wants at any time of his service that he required it, provided, of course, always, that it was convenient to the local Administration?—I should entirely favour it: I should welcome it.

42742. You think that would be the best system?—Yes. I should like to say one word about this. I believe the question was discussed in the Finance Secretariat, where the leave ledger would have to be kept, and I think it was found that the difficulty in the Accounts office would be very great, and that it would entail a large amount of work in the Accounts office. It was found that practically we could get all the advantages of the leave ledger by merely making the two reforms which I have advocated, namely, allowing privilege leave to accumulate without any limit, and abolishing the limit for combined leave.

42743. That would not get over the restriction which now exists, which prevents a man taking furlough until he has had eight years' service?—You would abolish that restriction.

42744. That is another alteration?—I have not mentioned that. It would not be absolutely necessary to keep a leave ledger if the account officers objected to it. We could carry out all the officers' purposes of the leave ledger by making a few alterations in the Civil Service Regulations.

42745. When these alterations were made, would it be necessary to keep an account of the amount of leave a man takes?—Even now the Accountant-General keeps a complete account of a man's leave. By the leave ledger it is contemplated that it should be like a bank passbook. You have got this ledger, and you would tick off all the leave a man takes. That looks very simple indeed. It is very simple for the people who take the leave, but it is not so simple for the account officers of the Government that grants it.

42746. What is the particular difficulty?—I am not prepared to explain the details.

42747. It does sound a very simple suggestion. I cannot see any very great clerical difficulty in carrying that suggestion out?—If the Finance department of the Government of India raises no objection, that would be the simplest method.

42748. With regard to pensions, I notice you say, in answer to question (118): "If the scale of salaries in the Service generally is increased, the annuities will rise automatically," but I am afraid under the present system the limit of the

pensions is the £1,000 and that the State contributes just that amount which with the four per cent. annual deduction from a man's salary, does not make up the £1,000?—Yes.

42749. If your suggestion is that as the scale of salaries rose the annuities would rise automatically, the result of that would, I am afraid, be that the State would contribute less towards the pension?—If the scale of salaries rose, the four per cent. on any given sum would be greater, and I take it that the State would be prepared to contribute an increased amount in proportion. I have written that answer on that understanding.

42750. (*Sir Theodore Morison.*) In your answer to question (7) you have made a reference to the leakage of questions in Indian examinations. Have you ever had any experience of such things?—I have one case at present under my notice, in which what appears to be a very daring fraud in an examination has been committed.

42751. Is that a University examination?—It is the Entrance examination for the University at Allahabad. The case is incomplete, so I cannot give you many details. It practically amounts to this. The candidate entered for the examination and he hardly knows enough English to write a sentence. He got another man who had already passed the examination to go and sit for him and to write his papers.

42752. Where was this?—I think I had better not mention the centre, because the case has not been worked out yet.

42753. (*Chairman.*) I think you had better not pursue this further in public?—It has not been worked out yet; I would rather not mention any further details, but I would say that examination frauds are quite frequently heard of in India. We had one in the Pleadership examination in Calcutta quite lately. Big frauds occur every few years, and I believe more frauds occur than are heard of.

42754. (*Sir Theodore Morison.*) It is only a fraud which takes place in the lower examination?—I do not see why it should not take place in the higher examination. In these lower examinations, if you call the Entrance examination a lower examination, the system seems to be devised so as to lead one to suppose that no fraud would be possible. The candidate sends in an application, and on that application he puts his signature when he comes to the Examination Hall. The man who comes actually puts his signature to the paper. I should have thought it would be quite possible to see at once whether the man who came was the man who originally signed the application. The way they got over it was by the personator signing the application which was sent up: the simplest thing in the world.

42755. I presume personation is not a danger which you think is at all likely to be found in the Indian Civil Service Examination?—I think it is a very real danger, because, obviously, the examination in India could be held only at one centre, that is to say, Delhi or Calcutta, where you would have men from all parts of the country, Madras, Travancore, or the Frontier Province, or Quetta. It is extremely difficult to make a system so absolutely perfect as to prevent any possibility of fraud or personation Then, again, personation is not the only fraud I refer to.

42756. If we cannot examine the case, perhaps we had better not continue it. In answer to question (21) you have said that you would be glad to see modern languages rather increased than diminished?—Yes.

42757. What would be your opinion of the suggestion urged upon us that Indian vernaculars should be included in this examination?—I think it would be an excellent idea if the English candidates did not object. The question is whether it would be fair to them. Considering that Greek and Latin obtain a very large proportion of marks in the competition, I do not think it would be unfair to them, and therefore I should favour the suggestion.

42758. You think it should be an optional subject?—Yes.

42759. Therefore Urdu would presumably be taken?—By people who learnt Urdu.

42760. It was not contemplated that it should be taken by the English candidates?—Not necessarily; but, of course, there is nothing to prevent an English candidate who is born in India from taking Urdu too.

42761. You think the Indian vernaculars might be put upon the same level as the modern European languages which are now in the examination, French, German, and Italian?—Possibly, not quite upon the same level; and for this reason, that the body of literature in French or German is very much larger than the body of literature, let us say, in Uriya. It might also be that a great deal of difficulty might arise in selecting the vernacular languages to be put in the list. I should think Urdu, Bengali, Marathi, and well developed languages like those, might be put on a level very near those of German or French.

42762. It has been suggested to us that Persian should be added?—Persian, I should think, should certainly be added.

42763. I should like to know your argument for putting an Indian vernacular upon the syllabus; what is your argument for Persian?—I should put it upon a much more cosmopolitan argument; I should say that Persian was as useful to an Englishman as it would be to an Indian. Persian as a language has as great an educative effect as German or Italian. I should put the Indian vernaculars in on the ground that they, to a certain extent, neutralise the advantage which the English students would have as regards Latin and Greek.

42764. You would put Persian in as it is of value as a subject of study, and you would put Urdu or Bengali in because of the removal of the disadvantage to the candidates?—Mainly. I admit the educational value of these languages, and also especially in their later literatures. If they are studied philologically they would be still more useful.

42765. One of your objections to using a time-scale, I think, is the tendency to leave men in the same place?—In the same groove of work.

42766. If that means leaving them in the same district, it is surely an advantage, and not a disadvantage?—I am not so sure of that

There are some districts which are prizes, and some districts which are penal settlements. I should be very sorry to have a man who is in a penal settlement always remaining there.

42767. Is that answer given with a view to the officer's comfort, or to the benefit of the work?—I was not thinking so much of the place in my answer: I was thinking of the work. If a man is always in the same groove of work his energies flag, and he does not take the same interest in it.

42768. Is there very much difference in the kind of work, in the scale of difficulty, so far as the work in one district may be a little easier, and in another harder. Is there a great difference in the grade of work done by one Collector and another?—There is a great deal of difference in the locality. I should say there are no two districts in which the work is exactly alike. There are always local differences. One district may be a somewhat depressed agricultural district, and the Collector has constantly to think out schemes for improvements. Whereas, in another district, as at Cawnpore, you have a big industrial town at head-quarters. In some districts there may be a large number of municipalities, and so on requiring a large amount of attention.

42769. You do not think that frequent transfers of officers is an evil, or that the transfers of officers are not sufficiently frequent to be an evil in the administration of these provinces?—Not a glaring evil. I think there might be fewer transfers in some cases. Lately I do not think there have been any transfers that could be said to have been granted merely for the convenience of the officer, apart from administrative convenience.

42770. (*Mr. Abdur Rahim.*) I think you said you went to England after having taken your degree here?—Yes.

42771. At what age did you go there?—Nineteen.

42772. How long did you stay in England?—Four years.

42773. That is including the period of probation?—Yes, we only had one year's probation in those days.

42774. You passed the open competition after three years' residence in England?—Yes.

42775. You went to the University from the very beginning?—Yes.

42776. Until you appeared at the open competition?—Yes.

42777. You think the age-limit should be lowered?—Yes. If the earlier age is adopted you would have to take the results of your college examination, or the school-leaving examination, or something of that kind.

42778. Do you think that will furnish much indication as to what the students' chances are of passing his examination in England?—The principal of the school or college always knows which are his most brilliant boys. If you select from these most brilliant boys, I think the chances of the passes are about 90 per cent. I was talking to a gentleman a short time ago who has given a great deal of thought to this question, and he was of opinion that the chances were 100 per cent.

42779. Do you know many Indians who have gone in for scholarships, having been selected by the Universities, and have appeared for the Indian Civil Service,—how they fared?—I can think at the present moment of five cases. Four of those passed and one failed, but he came out in the Educational Service.

42780. Out of five, you have known four who have passed?—Yes. I can at present only think of five. There may be more.

42781. They have taken their degrees here?—I am not sure about these cases; but practically they all went at 19.

42782. You know that there are some scholarships given by the Government of India on the recommendations of the Universities?—Yes; there are two scholarships a year for the whole of India, and they go by rotation to the different Universities.

42783. You are speaking of these scholars?—They would all be graduates.

42784. How many are there at the public schools?—I could not give you the exact number.

42785. Is there a large number?—A large, and growing number.

42786. Are any special arrangements made for looking after them?—An advisory committee, which has been appointed in England, looks after the Indian students, and there is an ancillary advisory committee in each province. I am a member of the United Provinces advisory committee, and I get all the papers, and see how the work is carried on.

42787. Do you know many entrants who have been admitted in England at the earlier age?—I can think of three cases now.

42788. In your Service?—One is in my Service. He has only just begun his career. I know of two cases in which the men did not come out into any of the Services.

42789. Are you in a position, from your experience of Indians who passed at the older age, and Indians who passed at the younger age between 19 and 21, to say how they have been successful in their service?—I think the majority of Indians I have known personally came out under the higher age. I have known a good few who came out under the earlier lower age, but I am not prepared to say that I notice any particular difference between them on account of the difference in the ages at which they came out. I was myself in the first or second year of the higher age.

42790. As regards Persian, would you put it on the same footing as Sanskrit, or the modern languages?—On the footing of modern languages, because Persian is a modern and living language.

42791. Would you allow the candidate to take both languages, or one?—I would allow him to take both or one or none—as suited his convenience.

42792. Objection has been taken to Persian being included in the open competition syllabus on the ground that its grammar is very easy to learn; that you can get it up in a few hours or a few days. Do you think that that is a valid objection?—Practically there is no grammar in Persian at all. I would suggest that the examination should not be confined to the grammar.

Persian literature is very large, and Persian Philology is an almost inexhaustible subject. If you had a paper on Persian Philology which would trace the roots of the Persian language from Pahlavi and old Persian to the Aryan mother-tongue, or went into the analogies of such languages as Latin, Greek or the Teutonic languages, that would open in itself a very large field.

42793. That is comparative grammar?—Yes.

42794. But as far as Persian is concerned the grammar is undoubtedly very easy?—Yes, but I do not see why you should not have Persian Philology as part of the course of Persian.

42795. Are there any books?—There are many books on comparative Philology. The books with special reference to Persian could no doubt be compiled if they were necessary.

42796. The Persian language affords considerable scope for examination?—Very considerable, and the literature.

42797. Do you know anything about Arabic in the open competition, whether in certain years the standard has been so raised as to make it impossible for any candidate to pass. I have had information to that effect?—I do not know about recent years, but I can speak of the years about the time when I went in for the examination; and it was fairly difficult. I think it was more difficult then than it need have been. I mean that a man who had mastered the Al-Fyah of Ibn Malik would not have had it all his own way, although it is a very advanced book. The sort of questions they put in Arabic Grammar or Philology were really very advanced. Arabic Grammar, as you know, is in itself a very large subject, especially if you include prosody. I remember some questions about Arabic prosody which would probably have ruffled the susceptibilities of a German Professor.

42798. Did you offer Arabic yourself?—I offered it in the Final.

42799. How did the difficult standard you are speaking of compare with Greek and Latin?—I was going to take Greek and Latin and Arabic, all three for the competition, but when I examined the papers I found that it would be wiser to jettison the whole cargo. I did not take either Greek, Latin or Arabic. It struck me that the Arabic standard was very high. I might probably have taken Latin and passed in it.

42800. Within the last ten years do you know any candidate who has taken up Arabic?—I have not watched for the subjects taken up by the candidates during the last ten years.

42801. Do you say you would abolish probation in England altogether?—Yes, I would abolish probation in England.

42802. Do you find that the time is not properly utilised?—There is practically nothing to do.

42803. Could not time be utilised in studying the vernacular?—The vernacular would give you a certain amount of work, but you cannot really learn a vernacular away from the country where it is spoken.

42804. We have been told by several witnesses that you can learn the vernacular better in England than you can here?—That is true, but we want a practical study, and not a scientific study, of the vernacular for administrative purposes.

42805. But to master the language properly you do want a certain amount of scientific study, do you not?—Afterwards. But it is beginning at the wrong end to commence a scientific study of the vernacular. If you knew the vernacular the scientific study would come as a pleasure and a profit.

42806. You would require the study of the language to be carried on here?—Yes, in the earlier stages, certainly.

42807. (*Mr. Sly.*) I understand your objection to a time-scale is on the ground that it drives an officer into a particular groove of work. How does that occur?—What I mean is that under the time-scale an officer might have done a particular duty for five or six years, and if he desires to change he would not necessarily get any sympathy from his Lieutenant-Governor, or Governor, because the obvious answer would be, "your pay is already determined by the time-scale: why do you want to change?" Whereas if his salary changed with his work, there would be an obvious case for giving him another post.

42808. But the salary does not change at present under the graded system?—Not under the graded system alone. A man might become from Collector, Registrar of Co-operative Credit Societies.

42809. That is what happens now; he is a Collector with a special allowance, and it is no difference?—Under the time-scale that would not happen. Why should a man be sent up as Director of Agriculture simply because he has done five years of district work? His emoluments would not be affected.

42810. But those special posts for special allowances would remain the same under the time-scale as under the graded scale?—There would be less free interchange.

42811. Why there should be less free interchange I cannot see?—The tendency would be so. The Government would always like to make as few changes as possible.

42812. At present they have no inducement to make any change?—Supposing a man has been five years in a district, he points out that if he got a Directorship he might get an extra allowance for it. If he was a Settlement Officer he would get a local allowance.

42813. It is exactly the same whether he is on a time-scale or not: there is no distinction, is there, really?—No, perhaps not.

42814. With regard to the Indian members of the Indian Civil Service joining the Family Pension Fund, you recommend that they should be allowed to do so; in fact, that it should be made compulsory?—Yes.

42815. You have taken into consideration one factor in the matter, monogamy; but are there not several other factors which have to be taken into consideration, the factors which make a very considerable difference between the rates, we will say, payable by a European and payable by an Indian. For instance, the fact that there is no widow remarriage makes a great deal of difference with regard to the widow's pension?—Yes, amongst Hindus.

42816. Then there is the question of marriage

of daughters amongst the Hindus. That social condition is different from what it is in Europe? —Yes.

42817. Then there is the question of the age of majority of children, as to when they should get their pension. That is substantially different? —Yes.

42818. Taking these and other social differences into consideration, would it not satisfactorily meet the needs of Indian members of the Indian Civil Service if the amount due from them, under their social conditions, was actuarially calculated out, a particular sum which might be more, or might be less, than a European member's, but that which they will have to pay?—You would have to distinguish between Hindus and Muhammadans; and among the Hindus you would have to distinguish between Kulin Brahmans and other castes. There would be endless considerations. I would get over it in this way. About the widow there is no remarriage amongst the higher class Hindus. I would take the Muhammadans as a sort of offset. If you take a number of widows it does not follow that amongst the Europeans all the widows would remarry.

42819. You do not think that fact should be taken into consideration?—It might be taken into consideration if practicable. Unless the actuarial difference is very great, I would be inclined to treat it like a personal factor.

42820. There is an extraordinary difference between the expectancy of life between an Indian and a European, is there not?—I think you will find that Insurance companies will now accept an insurance on, say, my life on the same terms as on the life of a European, on the same conditions, because the mode of living would be practically the same. The climate, of course, affects us both equally, and we should probably both be taking furloughs out of India. Then you mentioned the question of daughters. That, I do not think need enter into the question at all. You would give a pension to daughters up to the same age to which you would give it to the other people.

42821. If Hindu daughters marry off very young, and do not draw pensions as daughters, it would be hard on the Indians to pay, would it not?—Practically, we may say that European daughters would not marry very much before 20 as things go at present. Instead of introducing the marriage conditions, suppose we introduce the age, say of 19, that it should be paid until 19 in all cases irrespective of marriage, and not at all after that age.

42822. As a rule the daughter gets it as long as she is unmarried?—There might be some change in the rules. I am not prepared with a cut and dried scheme. I say that any scheme of that kind which can be worked successfully must be worked on uniform lines. As to the age of majority, there is absolutely nothing to prevent the age of majority for the purposes of this fund being considered as 21.

42823. In another answer you have recommended the Government to give powers to retire compulsorily any officer after 25 years' service, who has been selected to an administrative post. He cannot get his pension until 25 years' service, can he?—I have proposed a proportionate pension for inefficient officers who have not completed 25 years' service.

42824. In answer to question (87) you say, "I think that English officers (i.e., those passed over for the higher posts) should be compelled to retire when they have earned their full pension." Do you think that this is a reasonable proposal from the point of view of Government, that if you have an officer who is a good efficient Deputy Commissioner, but who is yet not fit for the position of Commissioner, or a higher post, he should be compulsorily retired?—I cannot conceive of a case in which a man is a good district officer and is not fit for a Commissionership. The Commissioner's work is very much lighter, not necessarily in volume.

42825. But the Commissioner's post is originally by selection from Collectors?—Yes.

42826. What about the Collector who is passed over?—He is probably unfit as a Collector at that stage. A man may be quite fit when he is made a Collector, and yet be absolutely unfit at the date when it is time to consider whether he is to be made a Commissioner. I consider that men passed over for Commissioners are already inefficient as Collectors.

42827. It is rather strong to say that a man should be forced to retire from a post for which special qualities are needed, and for which Government has directed a special selection should be imposed, on the ground that he is passed over?—Judging from the cases in which people have been passed over, if Government were asked their opinion *in camera* they would say that the men were not efficient in their existing posts. The Government cannot judge that a man will be good as a Commissioner except upon the quality of the work he will do as a Collector. They cannot select except upon the work he has already done.

42828. (*Mr. Macdonald.*) To go back to the answer you have given about the frauds in connection with examinations. You mentioned the Calcutta case. Was there a fraud perpetrated or was it only attempted?—I do not know the details. I think it was perpetrated.

42829. You are under the impression that it was perpetrated, and not under the impression that it was attempted and discovered?—It was discovered after it was perpetrated: that is to say, my impression is that the papers actually leaked out and that therefore the examination had to be stopped. I may be wrong, but that is my impression.

42830. We will leave that case there. Now take another case. You gave an illustration (I am not going into the illustration itself) of a case of substitution. Could that be done in the Indian Civil Service Examination?—Just the same as in any other examination.

42831. The man who passes the examination does not enter the Service, but the man who is supposed to pass?—The man who is supposed to pass the examination enters the Service, and he is found absolutely unfit.

42832. Do you really mean to say that such a thing is possible?—I believe that such a thing has happened.

42833. In the Indian Civil Service?—Not in the Indian Civil Service, but in the provinces

where a competitive examination, or a University examination, is considered one of the qualifications for entrance into Government service. I know that one case has occurred in which it was extremely doubtful if the man who entered was the man who passed the examination.

42834. It was doubtful whether this man who was in the Provincial Civil Service was the man who passed the examination?—That is so.

42835. And they could not prove whether he had passed the examination or not?—Except by looking at the amount of knowledge which he possessed.

42836. Supposing the age was lowered to 19 for the open competition, how would that affect Indian candidates?—I think it would be rather more favourable to Indian candidates, because the Indian boy matures earlier. An Indian boy at 19 probably has a greater advantage over an English boy of 19 than an Indian boy of 21 has over an English boy of 21.

42837. You contemplate, do you not, that the Indian boy of 19 would have been in England before?—Yes.

42838. You do not think of a simultaneous examination at 19?—I do not think it would be practicable here at present.

42839. So that the Indian boy who passed the examination, or who stood for examination at 19, would require to go to England at 16?—Yes.

42840. Where would he fit in at 16 in our English education?—It would mean that he would have to go earlier than 16. Sixteen would be the latest. It would mean that he would have to enter school early and have to take an English education.

42841. Would not the effect of that be that only a very limited section of boys could sit for the examination?—Not more limited than now. I think if the age-limit were 21, for instance, a certain number of Indian graduates would be able to go up if the financial difficulty were got over. The average age of an Indian graduate is 18 to 21.

42842. Do you think there are as many Indian boys of 14 who are prepared to go to England, and who can go to England, as there are Indian boys of 19 or 20?—If the question was slightly modified I should say: Yes, there are as many boys whose parents are prepared to send them at 14 as there are boys whose parents are prepared to send them at 17 or 19.

42843. Is it when the qualities of the boy are discovered that his people are prepared to support him: is that the distinction?—The parent wants to know the quality of his boy.

42844. So that if the boy goes at 14 he will go only if his parent can send him?—Yes.

42845. If he goes at 19 or 20, he goes because he can get assistance which appears to be justified by his educational attainments?—At 14 I think they could tell pretty well whether the boy was likely to pass a difficult examination or not, but I quite admit that at 16 or 18, the higher the age, the better can you tell the quality of the boy.

42846. Because he can get more assistance owing to the fact that he has shown his capacity?—Yes.

42847. Keeping to this point of 19, do you think it would be possible to give the compensation to the Indian boy, not on the lines you suggest, but by giving him simultaneous examination, and making the simultaneous examination at 19 the gateway to an English training, an English probation?—Yes. If the simultaneous examination could be carried out under perfect safeguards, it would be an excellent idea.

42848. That instead of asking the Indian boy to go on a kind of sporting mission to England, with an examination at the end, you examine him before he goes over, and on the result of that examination you send him to England with probation fees and so on?—Yes.

42849. Do you think that would be a way of compensating him for any disabilities in the lowering of the age?—I think so.

49850. Is it your idea that it is quite impossible in England to introduce a man who has passed the Indian Civil Service open competition into that sort of frame of mind by bringing him into touch with Indian ethnology and sociology, and so on, which will send him out there with sympathies for the Indian people and for India itself?—It is quite possible if the atmosphere were created for it.

42851. Is it your evidence that the success of that attempt lies, not in the sort of books you would prescribe for him, but the atmosphere in which you bring him up?—Exactly.

42852. You think that that atmosphere is far more easily provided for him by giving him work in India under proper supervision than by sending him to a University or a special school or college in England?—It makes all the difference: the free air provided by nature and the bottled-up air in a room: one would be artificial and the other is natural.

42853. Do you take the view that it is necessary in selecting Indian candidates to keep the idea of class and origin before you?—No.

42854. Do you think that we ought to take into account what is known as the governing classes, and those who have got traditional and hereditary capacity to rule in India?—Theoretically that might be defended; but I do not think in practice it works at all. In practice we find that the old families, in whom there should be a hereditary aptitude, have rather shown a tendency to decay and degenerate, and therefore the advantage which they would have inherited was very much frittered away. For this reason I would put that very much in the background.

42855. Do you take the view that, historically speaking, the expression is an accurate one; that you have got families in India that are marked by hereditary characteristics that invariably come out in a capacity to rule?—If you extend the word "family" to include "classes," classes knit together by a sort of racial or consanguineal tie, I think it would be accepted as a historical fact. I would, however, lay no stress upon it.

42856. Do you think we would be following a will-o'-the-wisp if we were to go on these lines of selection?—Certainly: it would be against modern tendencies in India as well as in England. I think the educated opinion of India wishes that merit and ability should have precedence over questions of mere birth.

42857. (*Mr. Fisher.*) As a Magistrate and

Collector you are brought into contact with the local Bar?—Very much so.

42858. Have you had occasion to make recommendations for the post of Government Pleader or Public Prosecutor?—Several times. The District Magistrate always makes his nomination although the appointment is actually made by the Legal Remembrancer.

42859. Do you find that the office of such a post as Government Pleader or Crown Prosecutor is often declined?—Yes; by the most successful men.

42860. Would you infer from that that it was difficult to secure the best legal talent for such posts as those of Government Pleader or Crown Prosecutor?—Yes, certainly, the best legal talent. I would add, of course, that it is a rule, subject to many exceptions, that the most successful pleader usually declines to take the Government Pleadership, because if he takes it his time is not his own. He must take up all Government civil work and any Government criminal work in which he is required. He is somewhat hampered. He is not prohibited from taking cases against the Crown, but it is expected that he should consult the District Magistrate in the matter. The most paying cases are the *causes célèbres* which come before the criminal courts.

42861. Do you think you could get good men at the Bar to accept Sessions Judgeships?—I think it is extremely unlikely. The very best men at the Bar have often refused High Court Judgeships; therefore it is not likely that the very best men would take District Judgeships. Besides, if District Judgeships were given to the best men at the Bar, we should have to work out the conditions of service and pension for them. It is not at all likely that the men selected from the Bar (and under "Bar" I include pleaders) would be allowed to earn in a shorter period the same pension as men who have worked for a longer period through the service.

42862. Clearly there would be great actuarial difficulties?—Yes.

42863. Short of the best men at the Bar, might there not be a class of men who are quite efficient as lawyers, and who would prefer the security of a Sessions Judgeship to the somewhat precarious income, even if it happened to be larger at one time, which they might be earning as advocates?—That would only apply if you could guarantee to them fairly good pensions after a short period of service. That would be unfair to the Service. I do not think it conceivable that Government should grant them the same amount after 10 years' service as they would give to a Service man after 25 or 30 years of service.

42864. You would be opposed to any direct recruitment to the District Bench from the Bar?—I think it would be extremely undesirable, not only on these grounds, but also on the grounds that the men selected from the Bar would have less judicial minds than men who had been trained through the Services. What I mean is, that an advocate has a frame of mind which is attuned to the demands of his particular client; and a Deputy Collector or a Munsif, a man who has all through his official life been accustomed to consider both sides of the question, approaches the question from a different standpoint.

42865. How do you meet the argument that the English Bench is recruited from the Bar?—Practically it is the only Bench which is recruited from the Bar. In England the Bar has behind it the solicitors. It is the solicitors who are directly in touch with the clients and work out *ex parte* statements. When the case actually comes into the hands of counsel, the counsel attacks the case at a stage when his work is calculated to give him a more judicial view of the case, than would be the case with the Indian Bar without the solicitors.

42866. In other words, you feel that the union of the functions of the solicitor and the barrister is the differentiating fact, which would make it undesirable to go in for direct recruitment from the Bar in India?—I would say it is one. The prevalence of the jury system and its absence in the greater part of India, constitute another. The jury system relieves the Judge of the duty of finding on facts.

42867. Is there any other?—Another one was mentioned by Mr. Baillie in his evidence this morning. The man in the Service with any administrative experience gets into intimate touch with all classes of people. Roughly speaking we might say that in rural India there are two classes: the voiceless agriculturists, peasants and ignorant people in the villages, and the more educated and wealthier classes, the zamindars, the professional people, doctors, and pleaders. The latter class is small in number, but very influential, and anyone that you would recruit from the Bar would naturally be drawn from these classes. Anyone that you would recruit into the Services would also be drawn from these classes, but the difference would be that he would be drawn at a plastic stage of his mind, quite young, and all through his service he would be accustomed to deal with both sides of a question. Whereas, the other man, the man who has had a few years' experience at the Bar, would always be accustomed to deal with one side of the question. He would get into habits, which he would have to alter on the Bench, of looking at the question, perhaps, in a less broadminded way than the man who had been accustomed to a judicial freedom of mind through all his work.

42868. But I suppose the leading barrister or pleader has a great deal of multifarious business to transact, and frequently takes cases in the mufassal, and he sees a great mass of transactions?—He does.

42869. Does he not obtain, from the exercise of that profession, that close first-hand acquaintance with Indian life which the Indian Civilian obtains also from his work on settlement, &c.?—He does; but the methods are different in the two cases. The Indian Civilian, or the Service man, always, in his contact with the people, has to deal consciously with two sides; whereas the barrister or pleader, for the time being, only deals with his particular client. Therefore his attitude of mind becomes one-sided.

42870. (*Mr. Madge.*) In your answer to question (24) you say that the principle of maintaining a minimum proportion of Europeans in the Service

is wrong, as it introduces differentiation on racial lines?—Yes.

42871. With reference to that opinion, do you think it desirable or immaterial whether you maintain the British tone in the administration?—If the British tone means efficiency, and all that British Government stands for, of course it is desirable to maintain the British tone, but I contend it could be maintained with Indians as well as with Europeans.

42872. Even to the extent of excluding all men of British birth?—I have said that no persons should be excluded because they belong to a particular class.

42873. With reference to your last answer, that efficiency could be maintained by the perfection of the machinery, and not by the personality of the officer, do you think it could be maintained by Indians entirely?—Yes, if you get the right class of Indians.

42874. In answer to question (7) you say that if the legislative machinery is permeated with Indian opinion, and the executive machinery is not, certain results will follow. As a matter of fact, is it so permeated, or being permeated now, or is this an imaginary case?—It is being permeated, and in a few years the inference will be an accomplished fact.

42875. Although the internal structure will be the same the internal spirit will be altered materially?—On the contrary; I think the spirit will approach the English standard more and more, although the outward structure will be different.

42876. Has the Indian law in the past been permeated with Indian opinion?—Not in the immediate past, when the Legislative Councils had practically no elected members.

42877. You think the change, which has been introduced, is having no effect upon the spirit of the law, but simply upon the structure of it?—So far as you can separate spirit from structure.

42878. With reference to the remarks you have made about the examination scandals, do you think any remedy is immediately possible against them, or probable even; frauds of any kind, leakages?—I think when the growth of public opinion takes place it should be quite possible, as possible here as in England, or in any other country. At present public opinion is not strong enough to keep down such irregularities.

42879. Would you apportion any period for this change?—I could not name any period.

42880. You think some day it would be quite possible, and then your objection to simultaneous examination would disappear?—Absolutely.

42881. In your answer to Mr. Sly you suggested a system by which a Civilian ought to retire after 15 years' service? Would you make it compulsory or optional?—He might be allowed to retire if he wishes, on a proportionate pension.

42882. It would be optional?—Absolutely optional.

42883. How would you provide for Commissioners and Lieutenant-Governors unless you enforced a reserve of Indian Civil Service men for filling the higher posts?—You would take men actually from the next lower grade.

42884. But if you make it optional you leave it open to anybody to retire?—They would not get their full pensions. I contemplate that the majority of men will not retire on less than full pensions.

42885. You think that there would no risk of getting suitable men for the higher appointments if any scheme of that sort were sanctioned?—I do not think so. The men who accept them will fill the very highest posts, and would naturally not retire.

42886. You think the Persian language is as educative as German: do you think so with reference to the scientific books on modern improvements which are available in both languages?—There are no scientific books available in Persian as compared with German.

42887. In that respect it would not be as educative as German?—I am speaking merely of the literature and the structure of the language, and not as to what it contains of modern science.

42888. It would have to be qualified in a very important respect?—I consider that the examination in a language takes place with regard to the works, the structure, the philology and literature, and not with regard to science. If I take up English as a subject I am not examined in Botany, for instance.

42889. I mean that the study of a language either leads you into, or shuts you out from, the source of education. In what sense do you use it?—Poetry, for instance, or the higher feeling of taste concerned in the study of a language or literature.

42890. (*Mr. Chaubal.*) You have been for 17 years in this province?—Yes.

42891. In your administrative work have you ever found any difficulty on account of your belonging to another province?—None whatever.

42892. Do you think your coming from Bombay in any way caused any difficulties in doing your administrative work in this province?—No: on the contrary it was an advantage, because one had no connections.

42893. Therefore, may I infer from that you do not attach importance to the point that the Indian Civil Servant must be allotted to the province from which he comes, and it would be dangerous to allow him to go to another province?—I attach no importance whatever to that.

42894. With respect to the examination frauds, have you ever known of any case of fraud in respect of an M. A. or B. A. examination, or with reference to the highest examination in medicine, or in anything else?—I am speaking vaguely, but I think that some years ago there was a case with regard to the B. A. examination, but I have not the slightest details of it, even in my own mind.

42895. Supposing the simultaneous examination did take place, how many candidates do you expect would appear for the competitive simultaneous examination in India?—Immediately, perhaps, 30 or 40; but the number of those who appear will largely increase, though I do not think there would be any large proportion who would pass.

42896. My question now is with regard to the possibility of frauds. Of course you admit that the smaller the number the less chance of frauds. If you have an examination like the

matriculation in which a thousand boys appear, one can conceive there being a larger scope for frauds than would be the case in the M. A. examination or the M. Sc. ?—Possibly.

42897. You would attach importance to the opinion of a person who has been carrying on University examinations for the last 30 or 40 years, when he said he would undertake to carry on a simultaneous examination without the slightest chance of any possible fraud ?—Certainly.

42898. Did you read in the papers the evidence of the Registrar of the Calcutta University ?—Yes.

42899. I do not quite follow your answer to question (25) where you say : "I think it is right and proper that better prospects and emoluments should be opened out to the Provincial Civil Service, but I would do this rather in the direction of a devolution of higher powers and responsibilities on them than by anything that tends to a confusion of the spheres of the two kinds of services." I do not quite follow the latter part of it ?—I think it is partly interpreted by my answer to the question which was put to me by the Chairman, on a point which occurs later, about making the unit larger.

42900. Instead of a district, a division ?—Yes.

42901. With reference to your answers to questions (64) and (67) I do not follow you. In one you think that a higher study of law would be useful to both the branches, and in your answer to question (64) you say that the knowledge of law possessed at present is quite enough, and nothing need be done further ?—In one case I mean a study of law under Indian conditions. In the other case I mean a knowledge of law in general.

42902. Question (67) asks : "Do you recommend any system for encouraging the higher study of law ?" The question is as to whether the higher study of law would be useful, and you give the opinion there that it would be useful ; but when the training of the Judicial officer in law comes you say : "I think both Executive and Judicial officers possess as much knowledge of the law as is necessary ?"—It applies to the training in Europe. I consider that more training in law in Europe is not required. In the other question I say it would be distinctly useful to have some training under Indian conditions.

42903. The higher study of law which you referred to in question (67) is to be in India ?—Yes, in India, and under Indian conditions.

42904. I did not quite understand the question in that way. I thought it was suggested by the question that some facilities should be given, and that there should be encouragement in the shape of prizes, or other things, for a higher study of law ?—The analogy given is the encouragement of the study of Oriental languages. Those are studied in India. The man takes study leave, and goes to Calcutta, and passes in Higher Standard Persian or other oriental language.

42905. The encouragement is given by the offer of rewards ?—Yes.

42906. Therefore if it meant higher study in England you would be against it ?—I would not be against it ; but it is not necessary.

42907. Would it be useful ?—It might be useful, but it is not necessary.

42908. Have you ever practised as a practitioner at the Bar ?—I took a case the day after I was called to the Bar, but I have never actually practised ; not beyond the first day.

42909. The principal defect which I find you trace in the competence of barristers to be Judges is that they get one-sided, is it not ?—They have a training which might tend in that direction. I do not say that it actually happens. I want to lay stress upon the bias.

42910. I suppose you will be surprised to hear a proposition which I heard some eminent man put forward that if a man only studies his own case and does not study his opponent's case, he is bound to be a failure at the Bar ?—I fully agree with it.

42911. Supposing I appear for the prosecution, unless I tried to study closely the case of my opponent, I would not be a good counsel for the prosecution ?—But you study your opponent's case from your client's point of view, so as to pick holes in it as far as possible.

42912. And it is only, I suppose, when both sides have picked their holes in each other's cases that the Judge gets his eyes ?—Yes.

42913. You cannot point to practical instances of your theory being exemplified with regard to barrister Judges or pleader Judges being not good Judges on account of this taint in their training ?—It would be obviously unfair to mention specific cases.

42914. Is it theory or observation based upon what you have seen in practice ?—Observation based upon experience.

42915. You have seen this defect in the decisions of barrister and pleader Judges ?—I have seen that tendency, which has to be got over. I am speaking all through of tendencies. When a man starts work he is pulling against a habit.

42916. I understand your view. I want to know whether you have seen that illustrated in Judges who have acted as barristers in the High Court ?—I am speaking particularly of the District Courts.

42917. Are there any barristers who are at present employed as District and Sessions Judges ?—No, but there are barristers and pleaders employed as Munsifs.

42918. I am speaking of the barristers recruited to the Indian Civil Service. We are now considering the recruitment to the Indian Civil Service, and as regards that I want to know whether you can say from your own experience that barristers who have been made District and Sessions Judges would be likely to suffer from this defect in their training ?—Yes, the Bar being defined to include pleaders.

42919. Have you seen the work of persons in the Provincial Civil Service who have been brought in at once without having done any criminal work as a District and Sessions Judge ?—Yes.

42920. Men who have done purely civil work ?—Yes.

42921. From their position as Subordinate

Judges of the first or second class they are made District and Sessions Judges and Assistant Judges with Sessions powers?—Yes. They have to learn from that time. They cannot immediately do criminal work with the same facility as a man who is accustomed to deal with it.

42922. You have no experience of the criminal work which is done? Can you say that they showed a want, or in any way a defective capacity on account of their being given criminal work to do?—Their first work would necessarily be inexperienced, and would show traces of their inexperience. That would be so also in the case of a Joint Magistrate promoted to a Judgeship.

42923. Do you say that because you have committed yourself to a theory, or because you can say that you have seen the work of X, Y, Z who has only worked as a Subordinate Judge or Munsif, and that these defects were found in his criminal work on account of not having previous experience?—I can say that from personal observation.

42924. Have you seen the work of District and Sessions Judges who have been promoted from Subordinate Judges and Munsifs?—Yes.

42925. And you have found that it disclosed something wanting?—Yes.

42926. How long have you worked as a District and Sessions Judge yourself?—I have acted only once, for about three months. I have also worked as Assistant Sessions Judge and Additional Judge for about a year.

42927. Whatever you can say it can only be during your experience for those three months?—No. As District Magistrate I see all the judgments of the Sessions Judges.

42928. You see the work of the District and Sessions Judges as District Magistrate?—Yes, I see their decisions: they are sent to me.

42929. You find out their faults?—I can tell you my impression of the disadvantages, the drawbacks.

42930. If you are giving your opinion from your experience as a District Magistrate of the work done by District and Sessions Judges you are probably right; but I want to know whether that is the opinion entertained by the High Court Judges of the work of District and Sessions Judges?—I cannot tell that, but I believe it is.

42931. You have said something about the average age of Indian candidates being 18 or 19. Do you know at present the earliest age at which a man can graduate in India—a B. A. out here?—I suppose the age varies in different Universities.

42932. Do you know of any University in which the age can be less than 20?—I do not know. I should have to look into the question.

42933. I suppose it is only a haphazard shot?—No, it refers to conditions which existed when I was in touch as a student with the Indian Universities.

42934. Do you seriously think it would be possible to select at the ages of 13 and 14 boys who show promise of turning out good administrators at advanced ages, and give them scholarships from here?—It would be possible to select a boy who shows great promise, but I do not say it would be possible to select a boy for administrative ability.

42935. The promise may fail?—Yes, the academic promise.

42936. The boys who show promise at 13 or 14 may not be the boys who show promise at college?—Exactly.

42937. There would be a certain limit of uncertainty in the case of scholarships given to younger boys?—Yes.

42938. As regards the salaries of the Indian Civil Service and the Provincial Civil Service, you recommend an increase of 50 per cent. in the salaries of the Indian Civil Service?—Do I?

42939. You say the present rule is that after 8 years the Indian Civil Servant should begin to get Rs. 1,000. That is the present rule?—That is the present theory. He does not, of course.

42940. You say that it should be worked up to Rs. 1,400 or Rs. 1,500?—Yes.

42941. While for the Indian Civil Servant you want Rs. 1,000 limit after 8 years to be raised to Rs. 1,400 or Rs. 1,500, for the Provincial Civil Service you consider two-thirds of the pay is quite adequate, notwithstanding the change in the cost of living, and all those circumstances which justify the payment of higher salaries in one case?—I do not consider it adequate. I consider the Provincial Civil Service salaries require to be raised.

42942. You suggest two-thirds of the listed posts?—I think the proportion should be maintained because the two Services are recruited on different qualifications. I think both the grading and the salaries of the Provincial Civil Service require very considerable revision.

42943. So that the salaries of the Provincial Civil Service will only increase if the Indian Civil Service salaries are increased?—In any case I think they should be increased. The two questions are separate.

42944. Would you desire any change in the rule of the two-thirds scale—those persons who are raised for special aptitude to the higher posts?—I think it is equitable that people recruited on the lower qualifications should get lower pay.

42945. (*Sir Murray Hammick.*) In answer to question (29) you say that Provincial Civil Service men are generally promoted to the listed posts too late in their service to adapt themselves to their new conditions. Would you be in favour of a system by which the Government could, after 8 or 9 or 10 years, select men from the Provincial Civil Service who had only been that length of time in the Provincial Civil Service and put them into listed appointments, and would be then young enough to receive due promotion before they retire?—I would like to see the scheme worked out first. I have not considered it.

42946. Supposing you enlarge the number of listed posts, do you not think it would be possible while reserving one or two posts among those listed for the reward of men of long service, to take the rest and give them to men who have been specially selected after considerable experience in the Provincial Civil Service for 8 or 9 years, in order that they may get a career in the Indian Civil Service?—I think it would not only be possible, but might work very well. But the selected men should work their way up from the bottom of the cadre.

42947. Did I understand you to say that you did not think the people of this province or anywhere in India, paid any regard to some classes as being more fit to rule than other classes?—Yes, they do.

42948. You think there are classes?—Yes, but I was speaking more of educated Indian opinion, and I was also speaking of my own opinion. But there are people who undoubtedly think that certain classes or certain castes ought to have either a monopoly, or a predominating share, in certain appointments.

42949. Will you agree that the great masses of the people here, for instance in the Punjab and in Bombay, do regard certain classes of people as more fit to rule them than other classes, putting aside Englishmen altogether? In plain language, would not the people of this province regard the Muhammadan, the Sikh, and the Rajput as more fit to govern them than any other class in these provinces?—I think it would depend upon the men. If a man showed himself capable of treating them fairly they would certainly not object to him.

42950. Would a man not start with a certain amount of prejudice against him if he did not belong to one of those classes?—He would start with prejudice against him if he belonged to certain classes which are not considered quite so high socially. I would certainly assent to that proposition.

42951. (*Mr. Tudball.*) You would close the Judicial Service in this country entirely to Indian Civilians?—No.

42952. According to you, probation at home is quite unnecessary?—It is not necessary.

42953. What would you substitute in India for training at home? Instead of having probation you would bring him out to India at once. What would you do when he arrived out here?—I would set him to study the language and the subjects for his departmental examination. At the same time I should place him under an experienced District Officer, who would give him hints as to how he should meet people and pick up knowledge generally useful for administration.

42954. Then the departmental examination covers a certain amount of reading in Law?—Yes.

42955. You would set a man, who never studied Law in his life, to pick up Law by himself: where will he get tuition in Fatehpur?—He would not be posted to Fatehpur, possibly.

42956. Where would he get it outside Allahabad and those places where there happened to be a law college?—He would get it in the same way as he would get it in London. He could study Muhammadan Law and Indian Law in London. He would go to a good library and buy books and be coached.

42957. He would have to read himself in the mufassal?—And he would have to get such coaching as was necessary. He would go to a place where he could get coaching.

42958. You would post a youngster to a place like Allahabad when he first came out?—He would be posted to a place where he could get some coaching.

42959. The study of Law by your own unaided efforts is laborious?—Yes. There are places where you could get coaching in Law. I would distribute them to such centres where they could read Law.

42960. Would you give me the names of these centres?—Allahabad, Lucknow, and Aligarh. There are Law schools there. Anyhow I postulate their being posted to centres where they could get facilities.

42961. The final test for the knowledge of Law would be the departmental examination?—For the Judicial officers I should think a later and severer test necessary, as I have said in answer to one question.

42962. Do you not think it would be an advantage, when a man has chosen the Judicial branch, to make him work as a Munsif and as a Subordinate Judge for two or three years in addition to his studies?—I think it might be an advantage.

42963. In answer to question (66) I think you said there would be no advantage?—I say that I do not recommend any special training in subordinate judicial posts for officers selected for the Judicial branch. I do not specially recommend that for other reasons, because I think if the Civilian has shown, by his examination and by other methods of training in Law to which I have referred in answer to question (55), that he is fit for the post, there is no reason why he should not go on to try sessions cases as he does at present. I do not contemplate his doing that in five years.

42964. At what stage would you make him do it?—I think a man should get into a District Judgeship, as into the charge of a district, in 8 or 10 years.

42965. At five years you would make him select the Judicial or whatever branch he intended going into?—I think at five years he might indicate it. He might be allowed a *locus pœnitentiæ* till eight years, when he finally selects. At five years he would begin to undergo the special training whatever it was. It is quite possible that he might find it did not suit him. At eight years he might finally go into the Judicial.

42966. Cannot you give us some definite idea of what this special training is going to be? While a man is training specially he is not at work and the Government is losing his services?—He should be doing some work, as is the case when he is doing departmental examinations. He should do his work and have another departmental examination or his course of training with the Legal Remembrancer. That is one proposal, I believe, on the tapis. There might be other schemes which might be evolved by the High Court or the Law officers.

42967. Have you any idea that any scheme has been thought out?—I only know of this scheme which Sir John Hewett has sent up.

42968. In respect to learning one's language, when I came to India, I went to Bareilly. I am speaking of 1887. I found myself unable to obtain any decent tuition whatever. Have things improved since then?—I think you must have been particularly unfortunate. In most fairly big stations you can always get a Maulvi to give you tuition in the vernacular.

42969. I obtained many who could teach the vernacular to people who spoke the language, but

they could not teach me the vernacular because they did not know English?—As we postulate, the candidates would be placed in big stations for Law training. They would probably find coaches for the languages also, in places like Allahabad or Lucknow.

42970. Could you name anybody in Allahabad?—I could not name anyone.

42971. Do you not know, as a matter of fact, that many young Civilians, when they are sent out, find it very difficult to get tuition in the vernacular?—I have not heard of that difficulty. In some small stations I have come across Maulvis who have produced chits showing that they have given tuition. Probably in Bareilly I shall find your chit.

42972. *(Mr. Kanhaiya Lal.)* Have you had any practical experience of the work done by barrister Judges in these provinces?—I suppose those Judges only exist in the High Court.

42973. Have you had any experience?—I have seen their judgments.

42974. You have had occasion, you say, to come across their judgments?—Yes.

42975. Are your remarks based on that experience?—Yes, but in the case of a barrister recruited into service, I should say that he has a good deal of service experience before he gets on as Sessions Judge. I do not consider him a pleader or a barrister Judge in the ordinary sense of the term.

42976. Have you had practical experience of the judicial work of men recruited to the Provincial Civil Service by the competitive test?—Yes.

42977. Did you find their work satisfactory?—Yes.

42978. Would you recommend the competitive test for the Provincial Civil Service?—Yes.

42979. In preference to nomination?—Yes, I think so.

42980. Are you in favour of a system of deputing junior Civilians as Assistant Government Advocates?—I think it might be useful; it is mainly a matter for the Judicial officers of the High Court to advise upon.

42981. *(Mr. Fasih-ud-din.)* You agree with the principle of competition as far as the Provincial Civil Service is concerned?—Yes.

42982. You do not agree to the same principle about the Indian Civil Service, that is to the principle of competition being held in India?—Yes; I say that in principle it is desirable.

42983. In principle it is good; but you do not agree to the Civil Service Examination being held in India?—There would be practical difficulties at present.

42984. But there would be no difficulties in the matter of the Provincial Civil Service?—No, because the prize is a little less, and there would be a separate examination in each province, where the candidate would be known.

42985. Do you mean to say that you agree to the principle that inferior people should continue to be attracted to the Provincial Civil Service as compared with the Indian Civil Service?—Not a bit.

42986. Do you agree with this principle, that the goal should be that the distinction between Imperial and Provincial Services should discontinue in the end?—Yes, when practicable.

42987. But you do not agree to holding the competitive examination for the Indian Civil Service in India?—Not until you make the conditions such that they will work with success.

42988. Do you think you will get better men by holding a competitive examination for the Provincial Civil Service?—I am not quite sure of that.

42989. Do you think it is desirable that the senior members of the Provincial Service should come on to the Table of Precedence?—I do not see why they should not.

42990. Do you agree that what we call "inferior listed posts" are at all worth having for the Provincial Civil Service, and that they carry more status—the posts of Assistant Settlement officers, the Junior Secretary to the Board, the Assistant Director of Land Records, and all these posts? Do they carry more status, in your opinion, than the posts of Deputy Collector and Subordinate Judge, and should they remain as listed posts?—I think they carry more weight with those who are primarily concerned, namely, the Deputy Collectors themselves.

42991. Do they carry more emoluments?—I shall have to work that out. Not necessarily. I think the Provincial Service men like to have posts in which they do not necessarily get more emoluments, if those posts lead to something which is better.

42992. You think it necessarily follows that the holder of one of these listed posts should have a preferential claim over the ordinary Deputy Collector when the higher post falls vacant?—It does not necessarily follow. The conditions of work would come more under notice and he would stand a better chance.

42993. Do you think that the present arrangement of appointing very old and very senior people to the higher listed posts, and without giving them a chance of officiating in those posts, is satisfactory in principle?—No.

42994. You think that they should get an officiating chance for acting in higher posts?—Yes.

42995. What do you think about the present pay of the Provincial Civil Service?—I think it is inadequate. In the Executive Service the grades run from Rs. 250 to Rs. 800. I think it might be desirable to regrade them so that the lowest might be Rs. 300 and the highest Rs. 1,000. I believe in the Judicial branch of the Provincial Civil Service the highest grade is Rs. 1,000. I do not see why the Judicial branch should not be approximated to the Executive at the bottom of the Provincial Civil Service, so that they both start at about Rs. 300 and go up to about Rs. 1,000. I should like to see the grading so arranged that the Provincial Service men could make tolerably certain of reaching the Rs. 500 grade in about ten years. At present there are many men who have served more than ten years without reaching that grade.

42996. They take practically twenty years?—Yes. I should like so to arrange the grading that every man, barring those whose promotion is stopped, has a chance of rising to the top before he retires. At present that is not the case.

42997. Would you approve of recruitment for the Provincial Civil Service from the clerical

line?—I do not mind recruitment from other branches. I think it would distinctly depress the Provincial Service to allow recruitment from the clerical service.

42998. What do you think of the prospects of the Provincial Service as compared with the Police service?—Obviously they are not as good. I do not think it is right or fair that the Provincial Civil Service, which does, I should say, the major part of the executive work of the Government, should be in that position. For one thing, I believe that most Deputy Collectors resent their being placed in the second class for travelling allowance purposes, whereas Superintendents of Post Offices, who are officers of no higher status than Deputy Collectors, are placed in the first class. I believe that is a grievance which most Deputy Collectors feel very keenly, and would like to see removed. And I agree with them.

42999. Do you agree with the present arrangement of putting in Munsifs of the first grade as Assistant Sessions Judges over the head of senior Deputy Collectors?—No; because the Munsif has no experience in criminal work; and although the Deputy Collector has no experience of civil work, the scales can only be held even by allowing the chance to both branches of the Service as regards these posts of Assistant Sessions Judge and Sessions Judge.

43000. Do you think that the work of the Deputy Collector, as a Judicial officer, is not hopelessly bad, as some people seem to suggest?—I have not heard it; and I do not agree with them.

(The witness withdrew.)

RAJA KHUSHALPAL SINGH, M.A., LL.B., Honorary Magistrate, Vice-Chairman, Agra District Board.

Written answers relating to the Indian Civil Service.

43001. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—My experience is confined to having seen the work of officers of the Indian Civil Service in my own district and the neighbouring districts for over twenty years. As a landholder I come in constant contact with the local officers and thus get many opportunities of knowing them and their work. In my opinion the system of recruitment by open competitive examination is generally satisfactory in principle.

43002. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Except as hereinafter stated, I have no fault to find with the system. I would suggest a few alterations which are detailed in my reply to the questions on the subject given below.

43003. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As a system of selection it is equally suitable for all natural-born subjects of His Majesty, including Natives of India, but the Natives of India are at a disadvantage owing to the examination being held in England.

43004. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I do not think it is to the advantage of Indian interests. I would prefer that a separate examination should be held for the Indian Civil Service so that candidates should make up their minds beforehand to come to India if successful at the examination. By having an examination exclusively for India we are likely to get a better class of men who had decided from the very first to devote their life and energies to this country and who would be likely to be more in touch with the country and the people.

43005. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I consider the system of recruitment by open competitive examination in London satisfactory in principle, but I would suggest the following alterations:—

(*a*) I would have two separate examinations: one for the Judicial branch and the other for the Executive branch of the Service.

(*b*) With regard to the Judicial branch I would recommend that simultaneous examinations be held both in England and India open to all natural-born subjects of His Majesty excepting the residents of those Colonies where the Indians are considered an inferior race and wilfully placed under various disabilities. The successful candidates to be placed in one list and that those who appeared in India should be sent to England for the period of their probation.

(*c*) That with regard to the $\frac{1}{7}\frac{7}{4}\frac{}{4}$ of Executive branch I would revive the Statutory Civil Service under the scheme detailed below. In the examination in England Natives of India should be allowed to compete as hithertofore.

(*d*) During the Muhammadan rule, the superior officers of the State all held military commands. The Muhammadan kings governed the country through the nobility. Among Hindu Mansabdars more than 95 per cent. were Rajputs. With the advent of the British rule, this system of administration and government was replaced by one which deprived the nobility of the highest posts under Government. Every reader of Indian history knows that it was chiefly due to the loyal devotion of the Hindu nobles that the Muhammadan Empire lasted so long. The Rajput nobility gave material help to the British Government in the establishment of the British Empire in India. During the Mutiny they risked their lives and properties for the British Government. The sentiment of loyalty has become ingrained in them, both by heredity and by traditions. They intuitively possess administrative talent and ability. It seems necessary that the lineal descendants of those Hindu and Muhammadan nobles who held the highest posts under the former Government should have their services utilized by the British Government in the executive line. I would, therefore, propose that the old Statutory Civil Service be revived. The number of listed posts should be

1/3 of the Judicial branch, and 1/18 of the Executive. After deducting 1/18 from the cadre of Executive officers, there remain 17/18. Of this, 1/8 should go to the members of noble and illustrious families of approved loyalty. Youths belonging to families who have a stake in the country should be selected, provided that they satisfy the requisite educational conditions. I would confine the selection to young men of noble families of approved loyalty, between the ages of 22 and 25, who are graduates, and have passed LL.B. examinations of some recognised University, British or Indian. Graduates include those who have passed the post-diploma examination of Chiefs' Colleges.

I would suggest that in making the selections old Zamindari families of all communities should be properly represented, regard being had to the political importance of each community.

(*d*) I would place the members of the Statutory Civil Service on the same footing as regards pay and allowances as the members of the Indian Civil Service and I would make the selected candidates proceed to England and pass there a period of probation to learn practical work in the way most desirable to train them for their future duties.

43006. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—As I have said above, I would have simultaneous examinations for the Judicial branch but not for the Executive; the appointments should be given to successful candidates subject to an irreducible minimum of Europeans.

43007. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—The other appointments would depend on the results of the examinations and no fixed proportion should be fixed to be filled by Natives of India.

43008. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I would think that Natives of India should be allowed to compete at the open competitive examination in England even though a part of the service be recruited in India.

43009. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—My opinion is that the listed posts, which are already open to members of the Provincial Civil Service, should remain as they are. In addition to that, I would recommend the revival of the Statutory Civil Service under the conditions given above. I would suggest that the present system of promoting to listed posts officers of the Provincial Civil Service be retained but that it should be enlarged.

The number of listed posts is far too small in the Executive branch. The Judicial branch has just been improved in this respect and the number of listed appointments in that line is sufficient and should satisfy the aspirations of all reasonable men. Out of 25 Judgeships 8 have been thrown open to the members of the Provincial Judicial Service. In my opinion out of 48 District Magistracies and 4 sub-divisional charges now reserved for the members of the Indian Civil Service, 5 District Magistracies and two sub-divisional charges (now held by members of the Indian Civil Service) should be allotted to the Executive branch of the Provincial Civil Service. The listed appointments might with advantage include—

(i) The post of an Under Secretary to Government.
(ii) One post of a Settlement Officer.
(iii) Five posts of District Magistrates and 2 sub-divisional charges (now held by the members of the Indian Civil Service).
(iv) The Junior Secretaryship of the Board of Revenue should carry a fixed salary of Rs. 900 to Rs. 1,000 by an increment of Rs. 50 a year.

43010. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I would recommend that the Judicial branch of the Service should be recruited by simultaneous examinations in England and in India, the successful candidates being put in one list, and I would suggest that this system be adopted as early as practicable. Barristers and vakils would be eligible for this examination which should be so conducted as to be a test not only of general education but of the knowledge of the principles of Law.

43011. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in to this matter.—If the definition does not regard include subjects of Native States, and in my opinion it does not, the definition should be so amended as to include them.

43012. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.—The present age-limits, 22 to 24, are well suited both for Indian and English candidates, inasmuch as they enable a young man to have a good all-round education at an University before competing for the Civil Service Examination. Those who are unfortunately unsuccessful are not too old to enter other professions while

having regard to the conditions prevailing in this country that age is suitable for starting in life as an officer in charge of responsible duties.

43013. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—The most suitable age would be 24 or 25.

43014. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—The age-limits should be the same for all candidates and there should be no difference between one class of candidates and another.

43015. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—Amongst the subjects prescribed for the examination I would include a full course of Indian History in three periods, each period being a separate subject with 500 marks and several branches of law, such as Hindu Law, Muhammadan Law, Rent Revenue Law, Criminal Law, &c., with 500 marks. I would also increase the number of marks allotted to Sanskrit and Arabic to the same figures as those allotted to the classical languages of Europe.

43016. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—There should be no differentiation of age between Natives of India and other classes of candidates.

43017. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes. All the posts in the superior Judicial and Executive Services, with the exception of those which had been listed as open to officers of the Provincial Civil Service, should be reserved for members of the Indian Civil Service.

43018. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—A minimum number of Europeans should be employed in the higher posts of the administration. Natives of India should be admitted to one-sixth of the posts included in the Indian Civil Service cadre.

43019. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes. Subject to the alterations I have already suggested, I would accept the system as generally satisfactory.

43020. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I think that the Statutory Civil Service should be revived and selections should be carefully made from among B. A's. and LL. B's. of good and approved families.

43021. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I would not introduce the system of the recruitment of military officers for appointments in the Indian Civil Service cadre. The system was not in vogue in the province of Agra within living memory. Some military officers were members of the Oudh and the Punjab Commission but I have no experience of how the system worked in those parts of the country.

43022. (23) Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—I would not recruit members of other Indian services for posts in the Civil Service cadre.

43023. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—This system has not been, in my opinion, worked very satisfactorily. Men have been promoted to listed posts only at an advanced age when they found themselves ill-suited to adapt themselves to the new conditions. It is essential that members of the Provincial Service occupying the listed posts should have their social position and their surroundings as much equal to those of the members of the Indian Civil Service as possible.

43024. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—The rule alluded to here has seldom if ever been followed in practice, but there is no harm in retaining the rule as it stands.

43025. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—My answer is in the affirmative.

43026. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—I consider that the class of posts listed is suitable and in my opinion they should be retained as they are, and enlarged on the lines detailed in my answer to question (10).

43027. (28) Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—I would add this to the answers given above, that those recruits for the Judicial branch should be allowed every facility to attend lectures in the Inns of the Court and to have practical experience of the working

of law courts by working in the Chambers of practising barristers and attending law courts in England. The candidate selected in India for the Judicial branch by the system of simultaneous examinations I have recommended above should receive the necessary expenses for training in England during their probationary period in accordance with the scheme suggested above.

43028. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—My answer is in the affirmative: I have given the details above.

43029. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation now prescribed, *viz.* one year, would seem to be a very suitable one for the Executive Service. The same period would also be suitable for the Judicial Service except for candidates selected by simultaneous examination in India for whom a longer period might be required, *viz.* two years.

43030. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—In my opinion Natives of India selected by examination in India for the Judicial branch should be given a practical training in England as suggested above to make them familiar with the practice and procedure of the English courts, and for them the period of probation for one year only may be too little.

43031. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The selected candidates should spend their period of probation in all cases in England, including the members of what I have called the Statutory Civil Service, who would be recruited according to my scheme by a system of selection.

43032. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—I am against establishing a college in India for the training of the probationers to the Indian services.

43033. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre? (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—[34 & 35]. Provincial Governments should arrange for the training of the officers allotted to them. They should be placed under carefully selected district officers; for in my opinion the training that a young officer gets under the first superior officer he is subordinate to, has a great influence over the whole of his future career. The question of placing the new recruits at suitable centres or distributing them over the various districts should be left to the Provincial Government.

43034. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—There has been some deterioration owing to a large increase of Indians who could carry on all business and can converse in English. The facilities now afforded to officers of spending their leave out of India have also tended in the same direction. In my opinion the standard of the departmental examination in vernaculars should be raised and officers possessing a thorough knowledge of the vernacular should be given preference in matters of promotion.

43035. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of Law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch.—In addition to what I have said above with regard to the training of candidates for the Judicial branch of the Service, I would think thatthese officers should be made to work as Munsifs and Subordinate Judges for at least two years besides doing criminal work for some years before they are promoted to the important appointment of District and Sessions Judges. I would also recommend that in the examination for the Executive branch more law subjects should be included, while for candidates selected in India under the Statutory Civil Service scheme a law degree of an Indian University should, in addition to the Bachelor's degree, be made an absolute *sine qua non*.

43036. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch? (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details.—[38 & 39] I have answered this question, and I lay special stress on practical training obtained in Courts and Chambers of practising barristers.

43037. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—My answer is in the negative.

43038. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed

Indian descent, of mixed European and Indian descent, and of unmixed European descent ? If so, please state your proposals.—[41 & 42] I would recommend that officers selected in India, whether by open competition or by selection, should be given the same training as other members of the Service recruited in England except that it may be desirable that the candidates selected for the Judicial branch might remain under training for two years.

43039. (44) Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory ? If not, please state your views ?—My answer is in the affirmative.

43040. (45) Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions ? Should such abolition apply to officers already employed or be restricted to future entrants ?—I would retain the exchange compensation allowance.

43041. (46) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance ?—I think that the present scale of salaries is quite adequate and I would not recommend an increase.

43043. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service ? If not, what rates do you suggest for the various grades of the Service ? (48) Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service ? (49) Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts ? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable ? (50) Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.—[47, 48, 49, & 50] I would suggest that the members of the Statutory Civil Service should be placed in the same rank as regards salary, leave allowances, and pension as members of the Indian Civil Service. In the case of the officers of the Provincial Civil Service holding listed posts, I would suggest that they should draw only three-quarters of the salary drawn in the same posts by members of the Indian Civil Service.

Written answers relating to the Provincial Civil Service.

43043. (51) *Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A.* Are these conditions suitable, or have you any recommendations to make for their alteration ?—With regard to the Provincial Civil Service my scheme is as follows :—

(*a*) The Subordinate Judicial Service should be recruited as at present, *i.e.* on the recommendation of the High Court from among the LL.B's. and vakils of the High Court of at least three years' standing. In my opinion the system works very well, but there should be due representation of various classes.

(*b*) With regard to the Subordinate Executive Service my suggestion is that there should be a due representation of all classes of the community especially of classes which are regarded as politically important, such as Rajputs in the provinces of Agra and Oudh and Sikhs in the Punjab. Appointments should be made by nomination from among well-educated young men and the respectability of their family would be a principal factor in the matter of selection. So long as the members of any one community preponderate in the Service special representation should be given to the members of other communities, especially of classes which are politically important. My idea is that young men recruited from families which have a stake in the country and which have rendered conspicuous services in the past are likely to prove more valuable servants of the State than young men recruited solely with reference to their educational qualifications. I would ascribe the plucky behaviour of Kuar Jagadish Prasad, I.C.S., on the occasion of the serious riots at the Fatehgarh Jail, when he dealt with a sudden emergency with so much tact and success, to the fact of being the grandson of Raja Jai Kishen Das, C.S.I., who had rendered conspicuous services during the dark days of the Indian Mutiny, and to his belonging to a family which had furnished many other valuable servants to the State.

43044. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs ?—Recruitment to the Provincial Civil Service should ordinarily be restricted to domiciled residents of the province to which it belongs. This rule may at the discretion of the Local Government be departed from in exceptional cases.

43045. (54) Are all classes and communities duly represented in your Provincial Civil Service ? Do you consider that this is desirable, and what arrangements do you recommend to secure this object ?—I would recommend that classes which are considered politically important should have more representation in the Provincial Service than other classes. Efficiency should be the primary and essential qualification, and due regard should be had to the representation of the various classes.

43046. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service ? If not, please state your objections, and what other arrangements you recommend ?—The system of training of probationary Deputy Collectors is far from satisfactory. In fact they get no training at all except in the Treasury department, and in that department the period of training is much too short. Young

officers (whether Civilians or Deputy Collectors) should never be placed in independent charge of any department. An experienced officer should be placed in charge with a junior under him to learn the work properly. It is undesirable to place all at once a large number of miscellaneous minor departments under a newly-joined officer. These officers cannot possibly do justice to the work required of them nor can they have time for case work.

43047. (56) Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.—My idea is that there are too few posts in the superior grades and their number should be increased to give greater inducements to young men of good families to join the Service. Two additional grades of Rs. 1,000 and Rs. 900 should be added, and the regrading of the cadre of the Provincial Executive Service should be as follows:—

Present grade.			Proposed grade.			
1,000	..	Nil	1st grade	1,000	..	2
900	..	Nil	2nd „	900	..	4
800	..	4	3rd „	800	..	6
700	..	6	4th „	700	..	10
600	..	10	5th „	600	..	15
500	..	36	6th „	500	..	40
400	..	52	7th „	400	..	48
300	..	55	8th „	300	..	48
250	..	58	9th „	250	..	48
		221				221

In case the exigencies of the Service require an increase in the cadre, there should as far as possible be a proportionate increase in the number of posts in the above grades.

43048. (57) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—I am in favour of the separation of Judicial and Executive functions.

43049. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—My answer is in the affirmative.

43050. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I think that the salaries should be adjusted with regard to the increased cost of living in these days. The salaries of all officers had been fixed over forty years ago, and though they were adequate at the time they seem to be inadequate now with reference to the decline in the purchasing power of the rupee. The salaries given to the various grades of tahsildars in the United Provinces of Agra and Oudh are, in my opinion, particularly inadequate. I would recommend an increase of salary all round and if it be not practicable it should be done at least in the lower grades of all branches of the Service.

43051. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—My answer to the first part of the question is in the negative, with regard to the second part please refer to my answer to the last question.

43052. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—My answer is in the affirmative. With regard to the appointments made to listed posts from the Provincial Civil Service I would suggest that the present system of conferring these appointments on officers who have but a small part of their service left to them should give place to a better system. I would select officers from the Provincial Service before they are forty with special regard to their antecedents, their educational qualifications, and their merits as an officer for appointment to listed posts, so that they might occupy the said appointments for fifteen years at the least. As I have said above, they should draw two-thirds of the salaries given to members of the Indian Civil Service occupying the said appointments, but the leave and pension rules should be altered to the benefit of this class of officers.

43053. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The number of listed posts should be $\frac{1}{3}$ of the Judicial branch and $\frac{1}{18}$ of the Executive branch. After deducting $\frac{1}{18}$ from the cadre of executive officers of the Indian Civil Service there remain $\frac{7}{18}$. Of this, $\frac{1}{8}$ is to go to members of illustrious families of approved loyalty; there remain $\frac{119}{144}$. Indians can obtain posts in the executive line of the Indian Civil Service by passing the Indian Civil Service examination in England to the extent of $\frac{1}{5}$ of $\frac{119}{144}$, that is to say that the irreducible minimum of Europeans in the Executive branch of the Indian Civil Service should be $\frac{119}{144} - \frac{119}{144 \times 5}$ equal to $\frac{476}{720}$ or roughly speaking a *little* less than $\frac{2}{3}$. Of the listed posts in the Judicial department a few selected Deputy Collectors might be given the post of District and Sessions Judges and Assistant Sessions Judges. Under chapter 6 of the Civil Service Regulations grade promotions are allowed to the members of the Service enumerated therein, but the subordinate Judicial and Executive branches of the Provincial Service are excluded from the category. This privilege should be granted to them as well.

For the purposes of travelling allowance the members of the Provincial Civil Service who are in receipt of a salary exceeding Rs. 500 are classed first class. I propose that officers drawing a salary of Rs. 400 or over should be considered first class officers.

At present tahsildars get only Re. 1 per day. They should get the travelling allowance of a second class gazetted officer and naib-tahsildars should get Re. 1 per day.

Contingent expenses, such as cooly-hire for

loading carts, pitching and striking tents, should be paid for by Government.

The number of bullocks allowed to a Deputy Collector is 5, *i.e.*, one cart with 3 bullocks and another with 2. The number should be raised to 6 so that three carts may be employed.

RAJA KHUSHALPAL SINGH, called and examined.

43054. *(Chairman.)* You are a Rajput landowner?—Yes.

43055. And you are a member of the United Provinces Legislative Council, and an Honorary Magistrate?—Yes.

You lay stress upon the desirability of obtaining in the public service young men of good families and approved loyalty, and of giving them preference subject to an educational qualification?—Yes.

43056. In both the Services?—Yes.

43057. You consider that there should be a minimum of Europeans and a maximum number of Indians in the Indian Civil Service?—Yes, in the Judicial branch. I think that for the Judicial branch as well as for Executive branch simultaneous examinations should be held both in England and in India. I consider the system of recruitment by open competitive examination in London satisfactory in principle; but I would have two separate examinations, one for the Judicial branch and the other for the Executive branch of the service.

43058. Two separate examinations simultaneously in both countries?—Yes.

43059. Do you propose there should be any minimum of Europeans?—Yes, in the Executive branch, but not in the Judicial branch.

43060. What would be the minimum in the Executive branch?—The Judicial branch can in course of time be wholly manned by Indians. As regards the Executive branch I am of opinion that a little less than two-thirds should be the irreducible minimum for Europeans.

43061. With your simultaneous examination, you would combine a scheme of nomination?—Only as regards a certain proportion.

43062. How would you get members of good families?—With regard to the 17/144 of Executive branch I would revive the Statutory Civil Service.

43063. How are you going to get the 17/144? By an open system of simultaneous examination and with some form of nomination to include the old families?—I say the number of listed posts should be 1/3 of the Judicial branch and 1/18 of the Executive branch. After deducting 1/18 from the cadre of executive officers of the Indian Civil Service there remain 17/18. Of this 1/8 is to go to members of illustrious families of approved loyalty and there remains 119/144. 17/144 will be filled by nomination and 119/144 by competition.

43064. It is rather a difficult scheme to follow in view of the fact that you are suggesting that it is to be carried out by simultaneous examination?—Yes.

43065. I do not understand how you are going to assure all the qualities you want by an open competitive examination.—They are required in the statutory service branch, that is to say in 17/144 of the cadre of executive officers.

43066. Why do you propose to treat the Judicial and Executive branches of the Service separately?—Because the training the members of the Judicial branch should receive should be different from the training which the members of the Executive branch should receive. As regards those members who will pass the simultaneous examination in India I am of opinion that they should go to England for a probationary period which should extend to two years. As regards the Executive branch I would limit the period to one year.

43067. You will have two examinations in England and two in India every year?—Yes.

43068. Have you estimated what the cost of that will be?—No.

43069. You are not wholly satisfied with the way in which the listed post system has been worked?—No.

43070. You think men promoted to it are too old?—They are promoted to these posts at an advanced age.

43071. At what period of their service would you like to see officers promoted to higher appointments?—Those of approved merit should be promoted at an earlier age so that they may remain in the highest posts for at least seven or eight years.

43072. After 10 or 15 years in the Provincial Civil Service?—Yes.

43073. You consider that the present scale of salaries is adequate?—Yes.

43074. But you say that the cost of living in the last ten years has undergone considerable increase?—Yes, in India it has.

43075. Would you not say, therefore, that the salaries of certain grades of the Service might well be increased to meet the increased cost of living?—Yes.

43076. What powers do you exercise as an Honorary Magistrate?—Third-class powers.

43077. How often do you sit in that capacity?—For three or four days in a month. There are other Honorary Magistrates in the district of Agra who do a much greater amount of work. They dispose of about 150 or 160 cases a year.

43078. Do you sit as a Bench?—No, I sit singly.

43079. How many cases do you say you dispose of in a year?—The total number of cases disposed of by me last year was about twenty.

43080. Would you say that there is a tendency for more work to be done by Honorary Magistrates?—Yes; the work done by them is increasing every year.

43081. Would you like to see that agency extended?—Very much; not only magisterial powers should be conferred upon landholders but they should be appointed Honorary Munsifs and Honorary Assistant Collectors.

43082. From your experience would you say that officers in this province are over-worked?—Deputy Collectors are certainly over-worked.

43083. Do you think there should be more Deputy Collectors to assist those who are at present on the staff?—Yes.

43084. Are there any other officers whom you

would say from your observations are over-worked?—Latterly an increase in the number of Munsifs has been sanctioned by the Secretary of State. Before that they were over-worked.

43085. *(Sir Murray Hammick.)* When you wrote these answers I understand you intended that the Executive Service should be filled up entirely by examination in England, one-eighth of the vacancies being given away out here as a Statutory Service; but that since you have sent in the replies you have modified your opinion, and now you think that the whole of the Executive Service should be competed for in England and in India by two examinations?—Yes.

43086. Why have you altered your opinion in this matter?—My election for the Imperial Legislative Council was set aside on the 28th of February, and I was very busy canvassing. I had to send in these answers before the 10th of February.

43087. You had not time to think about this enough?—No.

43088. I understand you want simultaneous examination and at the same time you want 1/8 of the appointments out here?—Yes, for members of the Statutory Civil Service.

43089. In this province they recruit about nine men for the Civil Service; half of those will go to the Judicial line and half to the Executive, so that it will come to four or five members for the Executive?—Yes. For this very reason I have changed that statement. I have said that the number of listed posts should be 1/3 of the Judicial branch and 17/144 of the Executive branch should go to members of illustrious families of approved loyalty.

43090. If only 43 are to be recruited for in the United Provinces, how are you going to have 1/8 for the Statutory Service and the rest to be competed for in England and in India: how are you going to divide it?—I have changed that statement. I do not say that 1/8 of the vacancies should be filled every year. I say with regard to the 17/144 of the Executive branch I would revive the Statutory Service. That, probably, may be reached in the course of a few years. I do not say that the vacancies should be filled every year. I have changed that statement.

43091. Would it not be rather an unfair treatment to reserve 1/8 of your Service here for nominations for Indians but to allow no nominations for Europeans at all? You are going to allow Government out here to nominate 1/8 to be selected from good families, but you do not think it right to give any consideration in the matter of the European examination?—It will not be unfair for this reason, because I am reserving an irreducible minimum for Europeans but not for Indians in the Executive branch. In England all classes are almost equally advanced in education but here in India landholders are very backward people and therefore require special treatment.

43092. You have never heard of backward people in England?—No.

43093. How are you going to have simultaneous examination with an irreducible minimum of Europeans?—When that proportion is reached by Indians, they will not be eligible for open competition until such a time as vacancies occur.

43094. *(Mr. Chaubal.)* In paragraph *(d)* in answer to question (5) you state, "those of families of approved loyalty or good position in society and belonging to families which have a stake in the country should be given the preference." Supposing you have made your selection, would you put these and post them to their own provinces, or appoint them outside?—I would post them to their own provinces.

43095. Not like the Indian Civil Service man who is put up to any province?—No.

43096. You use the expression "stake in the country."—I meant the land-owning community members of noble families who have got estates, land-owners.

43097. Supposing I have Rs. 20,000 in Government promissory notes and no landed property, have I got a stake in the country, or not?—In my written answers I suggested that all classes and communities should be properly represented. But I have changed my opinion and would confine the selection to noble families of approved loyalty. I would not exclude those belonging to mercantile classes but would take only from such families as have attained the status of territorial aristocracy. Approved loyalty and social importance will be principal factors in the matter of selection.

43098. I want to know whether you would consider a person who has a large amount of money in Government promissory notes, but no land, to be a person who has a "stake in the country?"—If he has an enormously large sum of money.

43099. If he has a large amount in Government promissory notes then he would have a stake in the country?—Yes.

43100. Would you put him higher than a man who holds land? Supposing anything happened to the land and the land disappeared, the person who had Government promissory notes would have a larger stake in the country than the person who had a thousand acres of land?—Yes, in that way, of course.

43101. In answer to question (57) you state you are in favour of the separation of the judicial and executive functions. Is that recommendation made as being calculated to improve the present administration of justice?—Yes. Quite so.

43102. From your own practical experience?—Yes, from my own practical experience.

43103. *(Mr. Madge.)* What opportunities have you had of judging of the duties and responsibilities of the executive and judicial services in the mufassal?—As a landholder I come into constant contact with local officers belonging both to the Judicial as well as to the Executive branch.

43104. To a large extent?—Yes, to a large extent. I have a large number of friends amongst the Judicial and Executive branches.

43105. But your friendship is not able to permit you to form an appreciation of their work unless you come into contact with their work?—I do come into contact with it occasionally.

43106. Is there nothing in common between the responsibilities of the Executive and Judicial officer?—I think the frame of mind which the Judicial officer should possess should be different from that of the Executive officer.

43107. As regards the experience they bring to their work, is there nothing in common between them in the earlier stages of their career? Civilians when they come to this country for the first few years are set certain work. As regards those who become Judicial and Executive officers during their earlier years, is there nothing in common between them in their duties and responsibilities?—Yes, there is something in common.

43108. (*Mr. Fisher.*) Do any of the boys in the Balwant Rajput High School desire to enter the Provincial Civil Service?—No, because this school teaches up to the matriculation standard and only graduates are taken in.

43109. Have any of the former pupils of the school entered the Provincial Civil Service?—Many of them are already in the Provincial Civil Service.

43110. And that is the career to which they look forward—Yes.

43111. (*Mr. Macdonald.*) Have you thought out how you are going to nominate your young men under section (*d*) of your answer to question (5): how are these nominations going to be conducted?—They will be selected by the Government from the classes described in this paragraph.

43112. Do you think it is a bad or a good thing that the Government should have this kind of patronage?—When all communities are equally advanced in education it will be undesirable that any differentiation should be made: but in the present state of things I think it is necessary.

43113. You do not think that the best thing would be to continue to put pressure upon your communities to get them educated so that they could pass through the competitive door?—People will have no inducement to study if careers are not provided for them.

43114. If you provide careers for them without any serious study, is it not rather a bad thing for them?—That will be a bad thing if unqualified members of politically important but backward communities are selected. But I urge the claims of duly qualified members who have received the highest education and are M.A's. and LL.B's.

43115. And then they should be selected by Government?—Yes.

43116. Do you propose to send them to England?—Yes.

43117. (*Sir Theodore Morison.*) Will you give me some illustration as to why you think the landed aristocracy has got more influence in the country: can you give me an example of how that influence makes itself manifest?—During the Mutiny the people accepted them as their leaders and they acted according to their bidding.

43118. In this province of Oudh?—In the province of Agra and Oudh. The land-owners did meritorious services. They had hundreds and thousands of retainers. People flocked round the banners of their chiefs.

43119. Have you a more recent illustration than that, because things have changed now?—I think they are still the most influential class. People look up to them for guidance and follow their example.

43120. Can you give me an example of it in the present century? I quite understand your illustration of sixty years ago, but I should like one of the present day.—I am not sure that I can give one.

43121. (*Lord Ronaldshay.*) In your written statement as to your scheme for recruitment into the Indian Civil Service you say that you would have a simultaneous examination for the Judicial branch, but that you would not have a simultaneous examination for the Executive branch?—I have changed my mind since.

43122. I understand now you have altered that opinion and that you would now have a simultaneous examination in both branches?—Yes.

43123. Are there any reservations, or are the whole vacancies filled by competitive examination?—Wholly by competitive examination, with one reservation, namely, as regards the revival of the Statutory Civil Service.

43124. Otherwise it is to be entirely recruited by both branches of the Service?—Yes.

43125. (*Mr. Kanhaiya Lal.*) Would you give one-eighth to the Provincial Civil Service?—Yes, it is less than one-eighth.

43126. You propose one-ninth for the Judicial branch?—No, it should be one-third.

43127. And for the Executive?—One eighteenth.

43128. These will be distinct from the posts you will reserve for the Statutory Civil Service?—Yes.

43129. The statute of 1870 allowed one-sixth?—Yes.

43130. From your experience of the country can you say that people have confidence so far as the civil courts are concerned?—In Deputy Collectors who have received the highest English education people place as much reliance and confidence as in Munsifs and Subordinate Judges.

43131. Are you in favour of competition for the Provincial Civil Service?—No.

43132. You are in favour of nomination?—Nomination and selection.

43133. Is it possible to get the best brains under the system of nomination?—What is wanted is that all classes should be duly represented.

43134. You would subordinate efficiency to caste and family considerations?—So far as intellectual attainments go, all will be duly qualified. They will be graduates who have received good education.

43135. You are prepared to subordinate efficiency to family considerations?—I would not subordinate efficiency to family considerations; but the persons who belong to very high and noble families, the ancestors of which held high administrative posts under the former Government are possessed of more administrative talents and ability than those who do not belong to such families.

43136. You are in favour of nomination and selection?—Yes, for the time being until all classes are equally advanced in point of education.

43137. Until other classes are advanced you will not take advantage of the educated material we have at our disposal?—Officers will be selected from graduates who can be considered educated material.

43138. The moment a man has passed his M.A.

examination you would make no distinction, except family considerations?—The Government will select the best men. Persons owning administrative instincts and traditions will be preferable and make more efficient officers. Governments will satisfy themselves that the persons selected are the best ones.

43139. (*Mr. Fasih-ud-din.*) Do you agree with the principle that the goal should be the gradual abolition of the distinction between Imperial and Provincial Services?—Yes, I do.

43140. You are in favour of the revival of the Statutory Civil Service? By doing that would you not create a new service and widen the gulf still more?—That should be the ultimate goal, but it would be unattainable for a long time to come.

43141. Would it not widen the gulf between the two Services?—At present certain classes are very inadequately represented. They must have their due representation.

43142. What classes?—The landowning classes, the nobility of the country.

43143. You think that the Provincial Civil Service is not attractive enough for them, or is there another reason?—It is not attractive enough.

43144. But if it is made more attractive, would you then allow the admission of the landed aristocracy into the Provincial Service?—If the Provincial Service can be made as attractive as the Statutory Civil Service formulated by me I would not insist on reviving the Statutory Civil Service.

43145. Do you think that the knowledge of the vernaculars in the Civil Servant is deteriorating?—Yes.

43146. Is it not due to the fact that he has not as much time as his older *confrère* used to have for the study of the vernaculars?—Yes.

43147. Do you think that a really well-educated Deputy Collector is fit to hold the post of Sessions Judge?—Yes, those who have taken a law degree. They should not only be eligible for the post of District and Sessions Judges, but also Assistant Sessions Judges.

43148. Do you think that a law degree is an essential qualification?—Yes.

43149. Do you think that condition can be satisfied by raising the present standard of the departmental examination so far as law is concerned?—No, unless the examination is made as stiff as the LL.B.

43150. With the approval of the High Court Bench?—Yes.

43151. You say you agree with the rule that a pleader should have at least three years' practice before he is appointed as Munsif?—Yes.

43152. Do you think the best men at the Bar are deterred from accepting officiating Munsifs' appointments at Rs. 200 with the chance of getting a permanent post after two years?—I think the High Court can make exceptions in exceptional cases.

43153. Are you not aware of the fact that all the brilliant legal practitioners refuse to accept officiating Munsifs' appointments on account of this very rule, as in three years' time a man with a very average intelligence can earn at least Rs. 300 or Rs. 400 in a month in these days of litigation?—As regards the recruitment of a large number of Munsifs, I think it is desirable that they should have some practice as Vakils or Pleaders.

43154. What period would you recommend, three years or two years or one year?—Generally speaking, I think it should be three years; but power should be given to the High Court to make exceptions in the cases of very brilliant men.

43155. Do you think that the present pay of a Munsif is sufficient?—I think it should not be less than Rs. 250.

43156. And of the Deputy Collector?—It should be the same, Rs. 250; and there should be two additional grades, one on Rs. 900 and the other on Rs. 1,000.

(The witness withdrew.)

PANDIT MADAN MOHAN MALAVIYA, B.A., LL.B., Vakil, High Court, North-Western Provinces, Allahabad.

Written answers relating to the Indian Civil Service.

43157. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—In my opinion the working of the present system of recruitment for the Indian Civil Service by an open competitive examination in England is very unsatisfactory and stands in need of modification in several respects.

I accept the system of an open competition for that service as practically the most satisfactory that could be adopted.

This system was adopted after the method of recruitment by nomination had been tried and condemned. In England the merits of the system have been accepted as indisputable for over half a century. Speaking in the House of Lords on the 8th of June 1858, Lord Lyttleton said:—"He believed the recent change in our system had been productive of much good to all parties, for it had tended to remedy the evils of patronage and improve the general standard of education. The results of the system, as appeared by the reports of the Civil Service Commissioners, had been good, and the examination on the whole had been well and judiciously conducted. He was not, however, about to enter into the general merits of the system, which he conceived had been placed beyond argument."

Speaking on the same occasion Lord Wodehouse said:—"Competition gave a great spring to an honourable ambition and a great motive for industry and attention. He believed they cannot do better than cautiously to pursue the same system they had entered upon under which he thought they would find a greater amount of energy, activity, and zeal for the public service than had hitherto existed."

Speaking on the 11th of March 1869 with special reference to the system of open competition for the Indian Civil Service, the Duke of Argyll said:—"I confess, I have never been such a fanatic in support of competitive examination as to

believe that that is the sole, or in all cases the best, method of getting the best men for the public service; but it is an escape from many difficulties; a competitive examination gives on the whole a much better chance of success than the pure nepotism of the ancient Court of Directors."

His Lordship opined, however, that "the exercise of patronage, where it is wholly removed from the danger of political jobbery or family nepotism, is perhaps the very best mode of selecting men for the public service." "I venture to submit," said his Lordship, "that as regards the selection of Natives for the administration of their country there is no risk whatever of the Government of India being influenced by political jobbery or family nepotism; I think, therefore, it is safe and expedient to open the Civil Service of our Indian Empire to selections by the Governor-General, under such restrictions as may be laid-down in concert with the Government at home."

The Statute of 1870 was passed to give a trial to such a scheme but, as we all know the scheme failed. When the last Public Service Commission was appointed, Dr. Wordsworth, then Principal of the Elphinstone College, Bombay, described the working of the Rules under the Statute of 1870 in a letter to the *Pall Mall Gazette*, as follows:—

"The people now selected are in reality representatives as little of the aristocracy as of the intelligence of the country. They are members of respectable families who happen to enjoy the favour of some educated official—a Secretary to Government, a Member of Council, or a Police Commissioner. In this Presidency, a college education and an University degree appear to be regarded as positive disqualifications for selection. A young man of independent character and high talents cannot now hope to enter the Civil Service by competition and he has generally no wish to enter it by the back door of favour. Everyone again who knows India, also knows how far the official world here appreciates the independence of educated natives and what chances it is willing to give them. Deferential ignorance, conciliatory manners, and a plentiful absence of originality and independence are now, and will always be, at a premium."

These remarks applied with as much truth to these Provinces (then the North-Western Provinces) as to Bombay. The truth is, as was observed 60 years ago by George Campbell in "*India as it may be*," that "patronage and selection are, so far as each goes, incompatible things. You cannot both have exactly the men you could most wish to patronize and at the same time a superior average degree of natural talent. You may educate the men of your *election*, but you cannot put brains into them. Brains are only to be found by selection. It is then but to be expected that while there is an honest and praiseworthy desire to educate, and even to exclude those who *will* not be educated, there is much tenderness in regard to natural intellect."

I hold with the author of "*Efficiency and Empire*" that "every man in the public service should be chosen with sole reference to his capacity for the duties he is required to perform. There should be no round pegs in square holes, and nepotism should be excluded as completely from national service as from private enterprises, dependent on capacity for the realization of profit in a commercial enterprise." And in my opinion, all things considered, this result is best arrived at by a system of open competitive examination.

It has been said that such an examination is merely an intellectual test and takes no account of the moral qualities of the candidates. I do not agree with this view. As was observed by Mr. Robert Lowe in the debate on the Government of India Bill of 1853, when the utility of a competitive examination was being discussed, "there is a close connection between the moral and intellectual qualities of the human mind." But this objection cannot be better answered than in the wise and weighty words of the 'Committee who were requested to take into consideration the subject of the examination of candidates for the Civil Service of the East India Company.' That Committee said in their report, dated November 1854, which was signed by "T. B. Macaulay, Ashburton, Henry Melville, Benjamin Jowett, and John George Shaw Lefevre":—

"We hope and believe also that it will very rarely be necessary to expel any probationer from the Service on account of grossly profligate habits, or of any action unbecoming a man of honour. The probationers will be young men superior to their fellows in science and literature; and it is not among young men superior to their fellows in science and literature that scandalous immorality is generally found to prevail. It is notoriously not once in twenty years that a student who has attained high academical distinction is expelled from Oxford or Cambridge. Indeed, early superiority in science and literature generally indicates the existence of some qualities which are securities against vice,—industry, self-denial, a taste for pleasures not sensual, a laudable desire to obtain the approbation of friends and relations. We therefore believe that the intellectual test which is about to be established will be found in practice to be also the best moral test that can be devised."

For all the reasons mentioned above I am wholly in favour of a system of an open competitive examination for the Indian Civil Service, and I am strongly opposed to the adoption of any method of recruitment by nomination and selection.

43158. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system is open to objection on the following grounds:—

(i) because the examination for the Indian Civil Service is held in London only;

(ii) because a sufficiently high standard of general education is not required as a preliminary qualification of candidates who want to compete for the service;

(iii) because persons who have to serve in two such different branches of the public service as the Executive and the Judicial are subjected to, and selected by, one and the same examination; and

(iv) Because the syllabus prescribed for the examination is unsatisfactory.

As to (i)—This is the great outstanding defect of the system. It was recognized from the time that the system was adopted. Speaking on the

11th of March 1869, the Duke of Argyll said :—

"Now I well remember that in the debates in this house in 1853, when the renewal of the Charter was under the consideration of Lord Aberdeen's Government, my late noble friend Lord Monteagle complained, and I think with great force, that while professing to open every office of profit and employment under the Company or the Crown to the Natives of India, we practically excluded them, by laying down regulations as to fitness which we know Natives could never fulfil. If the only door of admission to the Civil Service of India is a competitive examination carried on in London, what chance or what possibility is there of Natives of India acquiring that fair share in the administration of their own country which their education and abilities would enable them to fulfil, and therefore entitle them to possess? I have felt that the regulation laid down for the competitive examination rendered nugatory the declaration of the Act of 1833; and so strongly has this been felt of late years by the Government of India that various suggestions have been made to remedy the evil."

One such suggestion was made by a Committee which was appointed by the Secretary of State for India shortly after Her Majesty's Proclamation of 1858, which emphasised the declaration of the Statute of 1833 and solemnly promised that Her Majesty's Indian subjects "of whatever race or creed, be freely and impartially admitted to offices in our service, the duties of which they may be qualified, by their education, ability, and integrity duly to discharge." In its Report, dated the 20th of January 1860, the Committee, after quoting from the Statute of 1833, said :—

> "It is obvious, therefore, that when the competitive system was adopted it could not have been intended to exclude Natives of India from the Civil Service of India. Practically, however, they are excluded. The law declares them eligible, but the difficulties opposed to a Native leaving India and residing in England for a time are so great that, as a general rule, it is almost impossible for a Native successfully to compete at the periodical examinations held in England."

To remedy this the Committee recommended the holding simultaneously of two examinations, one in England and one in India, both being, as far as practicable, identical in their nature, and those who compete in both countries being finally classified in one list according to merit by the Civil Service Commissioners. The Committee recommended this scheme as being the "fairest and the most in accordance with the principles of a general competition for a common object."

It is to be regretted that this fairest remedy suggested by a Committee of distinguished men appointed by the Secretary of State was not adopted. Other remedies have been suggested and tried, among them the one provided by the Statute of 1870 They have failed; and in my opinion no other course that has yet been suggested will remedy the inequality of opportunity complained of until the recommendation of the Committee mentioned above is adopted, and simultaneous examinations are held in India and England.

As to (ii)—The Committee to whom the consideration of the subject of the examination of candidates for the Indian Civil Service was entrusted said in their report, dated November 1854 :—

"It is also desirable that he (the Civil Servant of the Company) should have received the best, the most liberal, the most finished education that his native country affords. Such an education has been proved by experience to be the best preparation for every calling which requires the exercise of the higher powers of the mind."

The present system of recruitment does not secure this object. There is no doubt a large number of men in the Indian Civil Service who are distinguished for their ability. But there are also many, both in the Judicial and the Executive line, who do not show that high degree of ability and culture which, in my opinion, should be expected of the members of such a select service. And these fail to impress Indians, among whom the standard of education is steadily growing. I would recommend that no one should be allowed to compete for the Indian Civil Service who has not taken a degree at one of the Indian or British Universities. To afford facilities and encouragement to candidates who have successfully passed the preliminary test to spend their period of probation at a University seems to me but a poor way of trying to secure a high general average of education among them. University education has made considerable progress both in India and England during the last half a century. And in my opinion the best way to ensure that the candidate for the Civil Service should have received "the best, the most liberal, the most finished education that his native country affords," is to lay down that none shall be admitted to the competition unless he has taken a degree at a British or an Indian University.

If the suggestion is accepted the course prescribed for the Civil Service Examination will be necessarily altered. Such of the subjects now included in the Civil Service course as are ordinarily prescribed for the degree examination of a University will be excluded and a higher standard of knowledge in more useful subjects will be required of men who will compete for the Service.

As regards (iii)—The qualifications required of members of the Executive and the Judicial Services, are obviously different, and it has long been notorious that members of the Indian Civil Service, who elect to join the Judicial branch of the Service, or are made to do so, do not always possess an adequate knowledge of the Law they are required to administer. It is not they, however, who are to blame for it, but the system under which they are selected and appointed. One of the elementary maxims for efficient administration, as the author of "*Efficiency and Empire*" reminds us, is that "care should be taken that every man entrusted with a responsible duty is thoroughly trained for its performance and is proved to be competent before he takes up the responsibilities of the office."

The principle is fully followed in the

appointment of members of the Subordinate Judicial Service in India. They are almost invariably required to be graduates both in Arts and Law and to have practised in some law court for a period of three years before they are held to be eligible for appointment. The actual appointment is made by the Chief Justice and the Judges of the High Court by selection out of persons who possess the qualifications of ability and experience mentioned above. Occasionally an appointment is made from persons who have practised for a longer period at the Bar. The result is very satisfactory. On the other hand, members of the Civil Service, who are allowed to select the Judicial branch of the Service, are often men who have not received any regular education in law. Sometimes those who fail to satisfy the requirements of the Executive branch are shunted off to the Judicial branch. These gentlemen are appointed to exercise appellate jurisdiction over courts presided over by members of the Subordinate Judicial Service. And there is much inevitable comparative admeasurement of intellect and knowledge of the Civilian Judge and the judicial officers subordinate to him, which is not unoften to the disadvantage of the former. It is high time that the Judicial branch of the Civil Service should be recruited by a system which will ensure at least the same degree of knowledge of law and experience of law courts, as is required of the members of the Subordinate Judicial Service. I would recommend that no one should be allowed to compete for the Judicial branch of the Civil Service who has not taken a degree in Law at one of the Universities of India or England. I would still hold an open competitive examination to select the candidates out of persons so qualified as being on the whole the fairest course. The examination for such candidates should be different from the examination for candidates competing for the Executive branch of the Civil Service. I would also recommend that in any event a portion of the appointments in the Judicial line, now reserved for the Indian Civil Service, should be filled up by promotions from the Subordinate Judicial Service and by direct appointments from the Bar.

As regards (iv)—If my recommendation that a University degree in Arts or in Law should be an essential preliminary qualification for every candidate who wishes to compete for either the Executive or the Judicial branch of the Indian Civil Service is accepted, the syllabus prescribed for the open competitive examination for the two branches will necessarily have to be revised as has partly been indicated in my answer to the second question (sub-head ii). I would reduce the number of optional subjects prescribed, and I would make many alterations and additions to the subjects which should be compulsory. The details cannot be usefully discussed until the principles have been laid down, but I may say that I would cut out Greek and Latin, and I would especially encourage a study of Sanskrit and Arabic by assigning a sufficiently large number of marks to induce the would-be members of the Service to acquire a knowledge of these ancient languages which are venerated by the two great communities of India. This knowledge will be extremely valuable in helping Civil Servants to understand the ancient institutions of the country, the special laws which govern Hindus and Muhammadans, and the manners and customs and the religious sentiments of the people.

If my proposals are accepted and degrees in Arts or Law are required as preliminary qualifications for candidates for the Executive and Judicial branches of the Service respectively, and the courses for the competitive examinations are suitably modified, I would not require the candidates who will be selected for service to spend any time as probationers in England, but would let them come out to India as soon after passing the competitive examination as may be to begin work under some senior Magistrate or Judge. This, in my opinion, would qualify them better and sooner for the efficient discharge of their duties than does preparation during the period of probation spent in England.

43159. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system of an open competitive examination for the Indian Civil Service is, in my opinion, quite as suitable for the admission of Natives of India as for the admission of the European subjects of His Majesty. As regards other natural-born subjects of His Majesty, the Indian Civil Service should be open to the residents of only those British dominions and colonies which admit Indians into their country on a footing of perfect equality with Europeans.

43160. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.—The combination of an open competitive examination for the English and Colonial Services with that for the Indian Civil Service is not to my mind to the advantage of Indian interests. The idea that it gives us a chance of drawing some of the best men who compete for those services ignores the fact that the combination necessarily renders the courses prescribed for the examination very wide, and prevents the candidates for the Indian Civil Service from devoting special attention to subjects which they should study to qualify them for service in India. The emoluments of that service are rich enough to justify the demand that they only should compete for that service who have made up their minds to join it if they succeed in the competition.

43161. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I have already said in answering the second question that I am entirely in favour of simultaneous examinations for the Indian Civil Service in India and England. I would keep the examinations open in both places to all natural-born subjects of His Majesty residing in countries which admit Indians as equal fellow-subjects and to the inhabitants of Indian States in alliance with his Majesty. I consider such examinations absolutely necessary to do justice to the claims of Indians to a fair share in the higher administration of their own country. I would

here deal with some of the objections which have been urged against such examinations.

The Public Service Commission of 1886 said, much to the disappointment of educated Indians, that, in their opinion, it was inexpedient to hold an examination in India for the Covenanted Civil Service simultaneously with the examination in London. The more important reasons urged by the Commission in support of this view were compressed in the following paragraphs :—

"It is argued," said the Commissioners, "that, in the present circumstances of social life in India, open competition in the country would not justify, to the same extent as similar competition in England, the presumption that the successful candidates would possess in a sufficient degree the qualities essential for high administrative offices; that Indian schools and colleges do not, at the present time, supply an education and training of the high and liberal kind considered to be a necessary qualification for admission to the Indian Civil Service, and that an open competition in India for the Covenanted Civil Service would operate with inequality, excluding altogether some important classes of the community, while giving undue advantage to others."

As regards the first objection, in my opinion too much is claimed for the circumstances of social life in England and too little is allowed to similar circumstances in India in entertaining a presumption that those who excel in an open competition would or would not possess in a sufficient degree the qualities essential for high administrative office.

In my humble opinion, many European members of the Indian Civil Service are far from being distinguished for qualities essential for high administrative office, while many Indians, who have never left the shores of India, have shown such qualities in a marked degree. Such men have been found not only in the service of the Ruling Chiefs of India, but also in the service of the British Government.

The social life of the community in which an individual is born and brought up does no doubt exercise a certain amount of influence in moulding his character. But the education which an individual has received, the particular environments in which he has been brought up, and the condition and traditions of the service in which he is placed, exercise a far more potent influence in determining his character as a public servant. It is undeniable that the education which Indians have received and the opportunities which have been opened to them during the last fifty years have greatly improved the character and capacity of Indians.

If you employ men of indifferent education, pay them low and put them in positions where they are exposed to temptations, you should not be surprised to see that many of them, be they Europeans or Indians, succumb to temptation.

Every school-boy knows what the character of the servants of the East India Company was before the days of Clive. He also knows what it was when official salaries still ranged low till the beginning of Lord Cornwallis' administration. "The substitution of what was then a very liberal scal of salaries for the scanty recognized emoluments Lord Cornwallis found in force," says Sir George Chesney, "was an act of statesmanship which transformed the whole character of the Indian public service and brought it to the high standard of purity and efficiency which it has ever since maintained." And this distinguished champion of the Indian Civil Service has not concealed his apprehension that if the emoluments are reduced the results might seriously affect both the purity and efficiency of the Service. "It will be an evil day for India," says he, "when public servants occupying important posts and exposed—if they were once open to the suspicion of entertaining the notion—to peculiar temptations, come to feel as a daily pressing care the difficulty of making two ends meet. * * * The least evil effect of this will be the growth of a general feeling of discontent."

The high standard of purity and efficiency which distinguish the Indian Civil Service is, I claim, determined less by the conditions of social life in England than by the conditions of the Service itself. This is not sufficiently recognized by those whose opinions are swayed by racial considerations, but it should be patent to every unbiassed mind.

I will quote from the sympathetic author of "*The Competition-wallah*" (Sir G. O. Trevelyan). Says he :—

"Any one who wishes to preserve a high tone of thought, and a mind constantly open to new impressions must look for a calling which is an education in itself—that is a calling which presents a succession of generous and elevating interests. And such is pre-eminently the career of a Civil Servant in India. There is no career which holds out such certain and splendid prospects to honourable ambition. But better far than this, there is no career which so surely inspires men with the desire to do something useful in their generation, to leave their mark upon the world for good and not for evil. The public spirit among the servants of the Government at home is faint compared with the fire of zeal which glows in every vein of an Indian official."

The last words deserve special notice. And after describing the deep and pure love for his adopted country which, he claims, inspires the Indian Civilian, he goes on to ask :—

"Whence comes this high standard of efficiency and public virtue among men taken at random, and then exposed to the temptations of unbounded power and unlimited facilities for illicit gain? It cannot be peculiarly the result of Haileybury, for that institution from its very nature, united the worst faults of school and college. The real education of a Civil Servant consists in the responsibility that devolves on him at an early age, which brings out whatever good there is in the man; the obligation to do nothing that can reflect dishonour on the Service; the varied and attractive character of his duties; and the example and precept of his superiors, who regard him rather as a younger brother than as a subordinate official. One black sheep and two or three incapables, in a yearly list of 40 or 50 names, is a large average. A young member of the Secretariat, a dead hand at a minute and the best amateur critic I have ever come across, told me that if he had been the eldest son of

a man with broad acres in England, he should nevertheless be glad to have spent ten years in India for the sake of the training, moral and intellectual."

The Commission (of 1886) acknowledged in their report that "the Native gentlemen who have up to the present time (1887) succeeded in gaining appointment to the Indian Civil Service through the channel of the English competition have performed their duties to the satisfaction of their superiors and have proved themselves to be generally efficient servants of the State." They also acknowledged that they have not fallen short of the positions which "Civil Servants with the same length of service ordinarily attain." The Commission therefore said: —

"It believes that Natives of India who undergo English training and show the degree of enterprise, strength of character, and other qualities, without which success can scarcely be expected in the English examination, are to be welcomed as suitable recruits for the Covenanted Civil Service."

The implication that the "qualities without which success can scarcely be expected in the English examination," which Indian candidates for the Civil Service show is the result, largely, of the training which they receive in England, is hardly justified by facts. Few Indians go to England with a view to compete for the Civil Service before they are 19 or 20 years of age. It is more reasonable to presume that their character has been largely formed before they embark for England than that it is formed during their two years' stay in England. In this view, it is the circumstances of social life in India, such as they are, and not the circumstances of social life in England, which determine the possession by the young Indian who goes to England to compete for the Civil Service of "qualities essential for high administrative office." And if the circumstances of social life in India have not stood in the way of suitable Indians being recruited for the Indian Civil Service through the door of competition in England, they should not in reason stand against their entering that service through an exactly identical examination in India.

The second objection urged by the Commissioners was that the education supplied by schools and colleges in India could not then (1887) be relied upon to supply a general education of the high and liberal kind contemplated as a necessary qualification for admission to the Indian Civil Service. But if this education falls short of the standard, it is due to the fact that examinations for the Indian Civil Service are not yet held in India. If such an examination begins to be held in India its effect will be felt in every seat of learning in India as it was felt in the United Kingdom. In support of this view I cannot do better than quote from the report of the Indian Civil Service Examination Committee, dated November 1854. It said:—

"'It is with much diffidence that we venture to predict the effect of the new system, but we think that we can hardly be mistaken in believing that the introduction of that system will be an event scarcely less important to this country than to India. The educated youths of the United Kingdom are henceforth to be invited to engage in a competition in which about 40 prizes will, on an average, be gained every year. Every one of these prizes is nothing less than an honourable social position and a comfortable independence for life. It is difficult to estimate the effect which the prospect of prizes so numerous and so attractive will produce. We are, however, familiar with some facts which may assist our conjectures. At Trinity College, the largest and wealthiest of colleges of Cambridge, about four fellowships are given annually by competition. These fellowships can be held only on condition of celibacy and the income derived from them is a very moderate one for a single man. It is notorious that examinations for Trinity fellowships have, directly and indirectly, done much to give a direction to the studies of Cambridge and of all the numerous schools which are the feeders of Cambridge. What, then, is likely to be the effect of a competition for prizes which will be ten times as numerous as the Trinity fellowships, and of which each will be more valuable than a Trinity fellowship? We are inclined to think that the examinations for situations in the Civil Service of the East India Company will produce an effect, which will be felt in every seat of learning throughout the realm—at Oxford and Cambridge, at the University of Durham, at Edinburgh and Glasgow, at Dublin, at Cork, and at Belfast."

It is a reproach to India to say that with all the money that its Government is spending upon high education, its educational institutions do not impart a sufficiently high and liberal kind of education to enable its youth to qualify themselves to enter the highest executive service of the country. If the reproach is deserved, the Government should be requested to remove it as early as may be possible. But however that may be, nothing will better ensure its removal than a decision to hold an open competitive examination in India simultaneously with the one in England for admission into the Indian Civil Service.

The third objection urged by the Commission was that for some time to come an open competitive examination for the Covenanted Civil Service would operate with inequality, excluding altogether some important classes of the community, while giving an undue advantage to others. I believe one of the important communities which was held in view when these remarks were penned was the Muhammadan community. This community has happily made much progress during the last 25 years, and I understand that many representative Muhammadans are in favour of simultaneous examinations. Apart from this, however, it should be obvious to every unbiassed mind that if simultaneous examinations are held in India and in England the youths of every community will have a far better chance of entering the Civil Service than they have at present. Inequality of representation will be a matter of much less complaint when equality of opportunity is afforded than the practically complete exclusion which is the inevitable result of the present system.

It has been said that if examinations for admission to the Indian Civil Services are held simultaneously in India and England, the result will be to flood the service with Indians. This assumes that our British fellow-subjects,

with all the superior advantages of a British education, will be beaten by their less-favoured Indian fellow-subjects in an intellectual contest. My patriotic sentiment would certainly be flattered if I could persuade myself to believe that this would be so. But I do not entertain such a poor opinion of the mental calibre of my British fellow-subjects, nor do facts, I regret to say, encourage me to think so highly of the mental calibre of my countrymen. I believe that if the examination in question is held simultaneously in India and in England, it will be a long time before Indians will be able to share the Civil Service even equally with Europeans. But assuming for argument's sake that under such a system the number of Indians in the Civil Service will, in the course of time, exceed the number of Europeans, that should certainly not be a matter of anxiety to the British Government. On the contrary, that is the only aim consistent with what we Indians regard as the mission of England in India.

I have always regarded the establishment of English rule in India as a providential arrangement meant to help India to rise again to a position of power and influence which it once enjoyed but from which it has unfortunately fallen. Many large-hearted English statesmen have also taken a similar view of the mission of England in India and have expressed it in unmistakeable language. Speaking on the Government of India Bill in 1858 Mr. Gladstone said :—"We have to look at the question how far we can improve their (Indians') qualifications for a political career, and the measure of their qualifications must be the exact measure of their admission. This is not the opinion of theorists or the vision of philanthropists. There never was a more practical writer than Mr. Kaye, and in his History he says:—'The admission of the Natives of India to the highest offices of State is simply a question of time.' And there is another name entitled to great weight in this House, Mr. Halliday. Mr. Halliday says—'I believe that our mission in India is to qualify the natives for governing themselves.'" And Mr. Gladstone advocated that such an arrangement should be made for the government and administration of India as should be well adapted "to bring them forward in proportion to their power in the work of governing themselves."

Writing in 1903, another high-minded Englishman, the late Sir William Hunter, said :—"The difficulties of governing a United India are, I repeat, of our own making. For only the British nation would have dared deliberately to train up the peoples of India to govern themselves. I believe that this generous policy has also proved the safest policy."

Sir William Hunter further said :—"I myself believe that if we are to give a really efficient administration to India, many services must be paid for at lower rates even than at present. For these rates are regulated in the higher branches of the administration by the cost of officers brought from England. You cannot work with imported labour as cheaply as you can with native labour, and I regard the more extended employment of the natives, not only as an act of justice but as a financial necessity * * * * . The appointment of a few Natives annually to the Covenanted Civil Service will not solve the problem. By all means give the Natives every facility for entering that service, but the salaries of the covenanted service are regulated, not by the rates of local labour, but by the cost of imported officials. If we are to govern the Indian people efficiently and cheaply, we must govern them by means of themselves and pay for the administration at the cheapest rates for native labour."

The argument therefore that if simultaneous examinations are held in India and England a large number of Indians may gain admission into the Service, far from being an objection against the proposal is one of its strongest recommendations.

Objections have also been urged against the holding of simultaneous examinations on the ground that it may be difficult to maintain the secrecy of examination papers and to arrange for the *vivâ voce* examination. I do not think that these objections are entitled to much weight. It cannot be impossible for the Government of India to make arrangements for maintaining the secrecy of examination papers, nor should it be difficult to find in India a sufficient number of trustworthy men to conduct the *vivâ voce* examination.

It has been said that Indians are deficient in the power of intiative and the capacity to deal with difficult situations. This is a gratuitous assumption not supported by facts. The Commission of 1886 wrote on this point as follows :—

"After a careful consideration of the arguments which have been brought forward on the subject, the Commission is unable to proceed on the general assumption that Natives are unfit for district or other executive charges. They have as yet had no sufficient opportunity of showing their capacity in this respect in the higher executive administration, and the generality of this assumption is not warranted by experience in departments in which Natives have already been tried."

Let Indians be placed in the highest administrative charges and let them receive the same moral support from the Government which their European brethren do, and I have no doubt that they will prove that they do not fall behind Europeans in the power of initiative or in courage and resourcefulness, or in the capacity to deal with large questions and difficult administrative problems. Some time ago a member of the present Royal Commission proposed that the administration of one province of India should be placed for some time as an experiment in the hands of Indians from the head of the Province downward. I wish the suggestion was carried out. I have no doubt that if it had been acted upon, it would have established beyond cavil or dispute, the capacity of Indians to fill the highest Executive offices and to carry on the administration on entirely sound lines with credit to themselves and benefit to the Government and the people.

Many of our European fellow-subjects, who are sceptics about the character and capacity of Indians, seem not to remember that Hindus

and Muhammadans have had a glorious past, that though they have been borne down by the wheel of time, as were their brethren of Greece and Rome, they did at one time wield sway over extensive empires; that the English Government was established in this country not much more than 150 years ago; that that time is a short period in the history of nations; that before that period Hindus and Muhammadans carried on the administration of the country in the whole of this vast empire; that even now in Nepal and the Native States of India, it is Indians who are carrying on the administration: and that such Indians as have been appointed to high administrative offices under the British Government have rendered a good account of themselves. Our European fellow-subjects should have the fairness to recognize, and I am thankful to say that some of them do recognize, that if Indians have not developed and exhibited a still higher character and capacity, this has been due entirely to a want of the opportunity needed therefor. Truly did the Marquess of Lansdowne, speaking in the House of Lords in 1833, on this very question, and quoting from Sir T. Munro, say:—

"For what is in every age and every country the great stimulus to the pursuit of knowledge but the prospect of fame, or wealth, or power? Or what is even the use of great attainments if they are not to be devoted to their noblest purposes, the service of the community, by employing those who possess them according to their respective qualifications in the various duties of the public administration of the country? Our books alone will do little or nothing; dry simple literature will never improve the character of a nation. To produce this effect it must open the road to wealth and honour and public employment. Without prospect of such reward no attainment in science will ever raise the character of a people?"

And after referring to the progress which the Indians had achieved in the past, his Lordship said:—

"But however much civilization had been obscured in those regions, whatever inroads foreign conquests and domestic superstition had made upon their moral habits, it was undeniable that they had still materials left for improving and ameliorating their condition; and their Lordships would be remiss in the performance of the high duties which devolve upon them, if they did not secure for the numerous natives of Hindustan the ample development of all their mental endowments and moral qualifications."

It was with a view to secure this ample development of all their endowments and qualifications that his Lordship proposed that "to every office in India, every native of whatsoever caste, sect or religion, should by law be equally admissible, and he hoped that Government would seriously endeavour to give effect to this arrangement." Equality in the eye of the law has been secured to Indians in the matter of the public services ever since the Act of 1833 was passed. It was only re-affirmed in the Proclamation of 1858, and it has never since admitted of any doubt. The real trouble has been in obliterating the inequality in practice. In the course of the discussion on the Councils Act of 1861 Sir Charles Wood said:—

"It has been said that their great object ought to be to obliterate the distinctions between the conquerors and the conquered in India. Now that was precisely the policy which he wished to carry into effect. Those bills distinctly provided that the natives should be employed in the Legislative Councils as well as in the highest judicial courts and in the most important executive offices. The same spirit ran through the whole of those bills, the spirit which animated that policy which Lord Canning had most successfully carried out, and which he believed with his honourable friend, would afford the best security for the permanence of our rule, for it would make the higher class of Natives, as well as those of the lowest degree, feel that their own good was bound up in the continuance of our sway. He believed that that was the best mode of consolidating and perpetuating our dominion in that country. He might observe, however, that he had not thought it at all desirable to name the natives expressly in the measure. He held the perfect equality before the law of all Her Majesty's subjects without distinction of race, birth or religion, and he would not do anything which could lead to the supposition that he doubted for a moment the existence of that principle. He had never admitted that there was any distinction between any of the subjects of the Queen, whatever might be their difference of birth or race or religion. That was the spirit of the Proclamation of Her Majesty on the occasion of her assumption of the direct government of India and that was the principle which would continue to actuate him in all his administrative measures."

In the half a century that has passed since the Queen's Proclamation was published, the British Government has earned the deep gratitude of the people of India by providing high education for them and by appointing them to numerous posts of trust and honour in the subordinate services and to some in the higher services. But Indians do not yet enjoy a fair share in the higher administrative offices of their country and they have been complaining persistently and loudly of this. Speaking, fifty years after the Proclamation of 1858, our Gracious Sovereign King-Emperor Edward VII, was pleased to say in the Proclamation which he issued in November 1908:—

"Steps are being continuously taken towards obliterating distinctions of race as the test for access to posts of public authority and power. In this path I confidently expect and intend the progress henceforward to be steadfast and sure, as education spreads, experience ripens, and the lessons of responsibility are well learned by the keen intelligence and apt capabilities of India."

In order that distinctions of race as a test for access to posts of public authority and power should be effectively obliterated and the confident expectation and intention of His late Majesty that progress in this direction should be steadfast and sure, should be realized, nothing is more urgently needed than that Indians should have an equal opportunity with their European fellow-subjects in competing for admission into the Indian Civil Service. English writers rightly dwell with great satisfaction on the great opportunities which the Indian Civil Service

offers to the youths of England. "It forms one of the highest and most useful careers open to our youths," says one; "there is no career which holds out such certain and splendid prospects to honourable ambition," says another. "And these prizes of the Indian Civil Service are open in England," in the language of the author of the "*Competition-Wallah*," "to every subject of the Queen, though his father be as poor as Job subsequently to the crash in that patriarch's affairs, and though he does not number so much as the butler of a Member of Parliament among his patrons and connexions." Indians ask for only a fair field and no favour. They ask that the prizes of the Civil Service of their own country should be similarly equally open to the youths of India. But this cannot be so long as the only door of admission remains as now in England. It is this conviction which has led our venerable leader Mr. Dadabhai Naoroji to earnestly advocate this reform for the last forty years.

It has been suggested as an alternative scheme that justice should be done to the claims of Indians by providing a fairly large number of State Scholarships to be distributed among the different provinces of India to enable Indians to go to England to compete for the Civil Service. In my opinion no number of scholarships that the State may be able to provide will secure to India the great moral and educational advantages which will result from holding an examination for the Civil Service in India, and no such scheme will offer a fair and final solution of the question. It will merely put off the reform and will strengthen the hands of those who have been advocating it.

I have dwelt at, what may seem to be, inordinate length on this question, but the importance of the subject and my earnest desire that what I consider to be its right solution should receive the fullest consideration from the Commission is my apology for it. I am deeply anxious in the best interests of the people and Government, as I conceive them, and in the interest of the good-will and harmony that should prevail among the Indian and European subjects of His Majesty, that the Commission should arrive at the right solution of this momentous question.

Before I leave this question I should say that, in my opinion, if an examination for the Civil Service is held in India simultaneously with the one in England, it will not be necessary to send candidates who succeed in the competition here to England for further training. It will no doubt be an advantage to every young man to spend a year or two in an advanced country like England, if arrangements are made to ensure that he should stay in England under the most favourable conditions. But an Indian who succeeds in the competition will, in my opinion, be quite fit to take charge of his duties even if he does not go to England.

43162. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am opposed to the proposal to fill a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India recruited by means of separate examination in India or by means of separate examinations in each province or group of provinces in India.

43163. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of any system other than the system of an open competitive examination under which Natives of India would be selected in India for admission to the Indian Civil Service.

I have already said in answering the 1st question that every man in the public service should be chosen with sole reference to his capacity for the duties he is required to perform and that such a selection is best made under a system of open competitive examination. All classes and communities are entitled to claim an equality of opportunity for education and competition for the public service, but they are not entitled to claim that their youths should find admission to the public service unless they can establish their fitness for it by successfully competing with the youths of other communities. Public servants are appointed not to serve any particular classes or communities but to serve the public as a whole, and public interests demand that they only should be appointed to offices of trust and power who come up to the standard of efficiency required for the public service.

43164. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England? Even when a simultaneous examination is held in India for the Civil Service, Indians should be free to compete for admission to the Service through the examination in England.

43165. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.—I have already said in answering the 2nd question that I would recommend a separate method of recruitment for the Judicial branch of the Indian Civil Service and I have indicated it there.

43166. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not state fully any proposals that you wish to make in regard to this matter?—I would alter the

definition of the term "Natives of India" so as to include any person born and domiciled within the dominion of His Majesty in India or of any Indian Prince in alliance with His Majesty, of parents habitually resident in India or Indian States in alliance with His Majesty.

43167. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.—I would increase the outer age-limit by one year, *i.e.* no one should be allowed to sit for the competitive examination who is less than 22 or more than 25 in age. This will enable candidates to complete their University education with an easy mind and to have sufficient opportunities for competing for the Civil Service.

43168. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—In my opinion junior Civilians recruited in England should commence their official duties in India after they have completed the age of 24 or 25.

43169. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—I do not recommend any differentiation between the age-limits for Indians and for other natural-born subjects of His Majesty. I think 22 to 25 years will suit Indians and Englishmen equally.

43170. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I have partly answered the question in answering question (2). I have there said that I would cut out Greek and Latin from the syllabus. Students who wish to acquire a familiarity with these ancient classics should do so while they are preparing for a degree. I would similarly cut out Greek and Roman history. But whether Greek or Latin are retained or not, I would assign 900 marks each to Sanskrit and Arabic. I would make Indian History, English Law, Indian Law including Hindu and Muhammadan Law, compulsory.

43171. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

43172. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I consider it necessary that the posts of Collectors of Districts and Commissioners of divisions (so long as the latter are not abolished) and of Secretaries to Government which are now reserved for the Indian Civil Service, should continue to be so.

43173. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I believe that if the system of simultaneous examinations in India and England for the Indian Civil Service is instituted there will always be a fair proportion of European subjects of His Majesty employed in the higher posts of the Civil Administration. I do not consider it necessary to lay down any minimum, nor do I think it desirable; on the contrary I think it unjust and undesirable to lay down that a certain proportion only of such posts should be filled up by Indians. The reserving of a minimum proportion of the higher posts for Europeans will necessarily lead to the exclusion of Indians from such posts. This will be a violation of the Statute of 1833 and the Proclamation of 1858 and will be opposed to justice. At present every post is open to an Indian in the eye of the law. No posts can be reserved for Europeans without altering the law. The Minto-Morley administration has been memorable for appointing Indians to the India Council and, what is more important, to the Executive Councils of the Governor-General of India, the Governors of the 3 Presidencies and of the Lieutenant-Governor of Bihar and Orissa. The system under which the destinies of a province like the United Provinces, nearly equal in area to, and greater in population than, the United Kingdom, are entrusted to a Lieutenant-Governor unassisted by an Executive Council, is an anachronism and I hope it will soon cease. I see no reason why in the not remote future an Indian should not be appointed as a Governor of a province. At any rate that should be the natural result of the higher spirit of English rule in India.

Nearly sixty years ago a great Englishman (Sir George Campbell) foreshadowed such a result. He said:—

"We ought then, undoubtedly, on grounds both of justice and of policy, to govern the Natives in the way most advantageous to them, and if they improve both in education and character we must elevate them accordingly. If they ever become fit for a constitution, we shall give them a constitution; or if they become fit for higher offices they must be appointed to higher offices, till possibly there may be some day, a Native Governor General."

Great changes have taken place in India since this was written. Half a century of ordered administration and progress has transformed the country and won the loyal attachment of the people to English rule. "When one looks back on the race-hatreds of 1857," wrote Sir William Hunter many years ago, "the most unexpected as well as the most beautiful of the new growths in India is the sentiment of personal loyalty to the Throne. That sentiment is in no small measure due to the spirit in which the Sovereign and her sons have during 30 years fulfilled the words of personal affection which the Queen in 1858 spoke to the Indian people."

The outburst of loyal joy which greeted their Gracious Majesties King George V and Queen Mary on the occasion of their memorable visit to India last year demonstrated that His Majesty has no more loyal subjects in any part of his extensive dominions than in India. And before His Majesty left the shores of India he was graciously

pleased to give to India the "watchword of hope." India hopes, and God grant that she will not hope in vain, that His Majesty will win a greater glory than what was won by Akbar, by appointing some day an Indian to the exalted office of Viceroy and Governor-General of India.

43174. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India?—No.

43175. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the statute of 1870 should be revived, and if so, what method of recruitment would you recommend.—No.

43176. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—No.

43177. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—The "listed posts" should be reserved as now for the promotion of deserving members of the Provincial Civil Service.

43178. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

43179. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—No; if my proposals regarding the preliminary qualifications of candidates and the modifications in the syllabus are accepted, such probation will be unnecessary.

43180 (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—If the candidates who pass the open competitive examination should undergo a period of probation, I would require English candidates to spend that period in India and Indian candidates in India or England.

43181. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No, I think a probationer will best be trained by being placed under some senior Civilian.

43182. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No.

43183. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think Indian Civilians should acquire a greater command over the vernaculars of the provinces than many of them do judging by what I see in my province.

43184. (45) Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The exchange compensation allowance should, in my opinion, never have been given. But having been introduced, it should be continued to those who were recruited after it was introduced. No such allowance should be allowed to future entrants.

43185. (46) If abolition is recommended, with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—The salaries of the Civil Service are excessively high for a country like India. They should not be raised. I will deal with this question in answering question (50).

43186. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—Yes. I will answer this question while answering question (50).

43187. (50) Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—The salaries of the Indian Civil Service are in my opinion excessively high in the higher grades and require to be curtailed. As the system has gone on now for a long time I would leave salaries up to Rs. 2,250 as they are, and I would reduce salaries above that figure by 25 per cent. I would fix the units of the salaries at 25 per cent. below that reduced figure. All Natives of India as defined under statute should be paid at the rates so fixed. In the case of Europeans who do not come under that definition I would add an allowance of 25 per cent. to their salaries. This would secure a financial relief to India and make reasonable differentiation between the salaries of Indian and imported labour without introducing an invidious distinction between them.

Memorandum by the Secretary of the United Provinces Congress Committee relating to the Indian and Provincial Civil Services.

43188. I should like first to make a few remarks of a general nature which would clearly indicate the standpoint from which my Committee view the question of the employment of Indians in the public services.

My Committee believe that the sole moral justification for the presence of Englishmen in this country, and the only one that England would care to avow before the tribunal of civilization, is the moral, material, and intellectual advancement of the people of India. The noble words in which Lord Macaulay foretold the great improvement that would take place through the progress of education in this land and gave utterance to his view of the relations that should ultimately subsist between India and England, were not merely the expression of a pious wish, but enunciated an ideal that ought always to be kept in view by those responsible for guiding the destinies of India. It will indeed be the proudest day for England when, from the ashes of the present there will rise a new India able to take her place in the comity of nations and to contribute her share to the development and uplifting of the human race. The process has already begun, and if, in her dealings with this country, England will continue to be animated by the faith that inspired her in the past, and associate the people more and more largely in the work of administration until they are in possession of complete self-government within the Empire, the result will be as honourable to England as it will be beneficial to India. Indeed, such a course is necessary in the best interests of England herself. If her rule is to be broad-based on the good-will and the contentment of the ruled, she must enable them to feel that in all her actions she would be guided solely by a consideration of what is good for India, and that she would do for the people committed to her care all that other countries are doing to promote the moral and material well-being of their people. The strength and the stability of the British Raj are due not to the 75,000 British troops which it maintains, but to the confidence which the people repose in her good faith and sense of justice. How to keep this unshaken is the real problem of Indian administration. And nothing is so calculated to gain the good-will of the educated community as a belief on their part in the genuineness of England's desire to befriend India's political aspirations. The educated section may be in a minority, but they form the brain of the country, and what they are thinking to-day the country will be thinking to-morrow. Moreover, it must not be forgotten, that till a quarter of a century ago, English rule was regarded with enthusiasm and affection by this minority, and that discontent only began when they noticed that no adequate effort was being made by England to redeem the pledges contained in the Statute of 1833 and the Proclamation of 1858.

I

43189. Coming now to the specific questions engaging the attention of the Commission, I am to say that the system of recruitment for the Indian Civil Service is satisfactory in principle, but unsatisfactory in practice, and that, owing to the place at which the open competitive examination for entering that service is held, Indians are placed at a serious disadvantage as compared with British-born candidates. This fact has been recognised by the authorities in England more than once. Soon after the promulgation of Queen Victoria's Proclamation, reiterating the promise of equality contained in the Statute of 1833, a Committee, consisting of five members of the India Council, was appointed by the then Secretary of State for India to propose measures for the larger employment of Indians in the higher branches of the Public Service. The Committee reported in January 1860 to the effect that the promises made to Indians had so far been a dead letter, and that there were only two ways of doing justice to their claims to enter the higher grades of the public services in their own country, viz. (i) setting apart a portion of the appointments for competition in India; and (ii) having simultaneous examinations in India and in England, the successful candidates being classified in one list according to merit. And the Committee unhesitatingly preferred the latter of these methods as being the fairer of the two. No action was, however, taken on this report, and a few years later the Duke of Argyll admitted that the system by which the Civil Service examination was held in London, although, theoretically, affording equal opportunities to all candidates, operated in practice greatly to the disadvantage of the Indians. It was to compensate in some measure for the practical difficulties that stood in the way of Indians going to England in adequate numbers to appear in the Civil Service examination, that His Grace introduced the Bill which became law in 1870 and brought into existence the Statutory Civil Service.

The Act of 1870, although the outcome of a genuine desire to remove the disadvantages which Indians laboured under by reason of the place of their birth, failed to produce the results expected from it owing partly to defects inherent in the system which it introduced, and partly to a faulty working of it. The rules required by the Act were not finally framed till 1879, until which year only one Indian had been appointed under the Act to a post to which he might not have been appointed before. The rules provided that in any one year Indians could find admission into the ranks of the Indian Civil Service otherwise than through the door of competition up to a maximum extent of one-fifth of the recruitment for that year in England. But no adequate test was provided for judging "merit and ability," and nomination was the method of selection resorted to. As might have been expected, it became apparent very soon that the men so appointed were greatly inferior to candidates recruited in England, and that their appointment was looked upon with grave dissatisfaction by the country and with jealousy by the members of the Civil Service. Moreover, not having entered the service through the door of competition, the nominated candidates were looked down upon as belonging to an inferior branch of the Civil Service.

The next important step was the appointment by the Government of India in 1886 of a Commission under the presidency of Sir Charles Aitchison, then Lieutenant-Governor of the Punjab, to enquire into the whole subject of the employment of Indians and to devise measures for their "higher and more extensive employment." The recommendations of the Commission, halting as they were, and even retrograde in certain respects, provided, however, that one-sixth of the appointments in the cadre of the Civil Service should, after being excluded from it, be amalgamated with the Provincial Service posts. These recommendations were not carried out in their entirety and, including Burma and Assam (which were excluded from the Commission's scope of enquiry) 103 posts were "listed" as open to the Provincial Service. A quarter of a century has elapsed since the Public Service Commission of 1886 reported, and though the Commission expressed the view that full effect could be given to this recommendation in the space of a generation, as yet Indians do not hold more than 93 of these posts.

The experience of the last half a century warrants the conclusion that no legislation that is merely permissive, or, prescribes nomination as the mode of selecting candidates, can ever be a satisfactory solution of the question. Nomination provides no antecedent guarantee of fitness, and the appointment of men who owe their selection less to merit than to favour, and therefore prove incompetent as a rule, throws discredit on the race to which they belong. And measures that are not obligatory in their character have, in the conditions that obtain at present in India, little chance of being carried out in full. Thus a competitive examination held simultaneously in England and in India is the only effective way of insuring that full justice will be done to the claims of Indians, and that the future will not be a repetition of the past.

As the case against simultaneous examinations has generally been rested on the arguments advanced by the Public Service Commission of 1886—it is worth while to examine closely how far the objections urged by them were sound in themselves or hold under the present circumstances. "It is argued," wrote the Commission in 1887, "that in the present circumstances of social life in India, open competition in the country would not justify, to the same extent as similar competition in England, the presumption that the successful candidates would possess in a sufficient degree the qualities essential for high administrative office; that Indian schools and colleges do not at the present time supply an education and training of the high and liberal kind considered to be a necessary qualification for admission to the Indian Civil Service, and that an open competition in India for the Covenanted Civil Service would operate with inequality, excluding altogether some important classes of the community, while giving undue advantage to others. It is further argued that it could scarcely fail,—in view, on the one hand, of the large number of candidates who would offer themselves for examination, and, on the other hand, of the small number who could, under any circumstances, be successful,—to create a large disappointed and thereby probably discontented class which would cause considerable embarrassment to Government. Doubts have also been expressed whether pressure would not sooner or later be brought to bear on the Government with a view to make the examination of a less English and more oriental character and to adjust it on terms more favourable to Native candidates . . . There are two other objections taken to the establishment in India of competitive examinations for the Civil Service to which it is necessary to refer, namely, the difficulty which would be experienced in maintaining the secrecy of the examination papers, and in making satisfactory arrangements for that portion of the examination which is conducted *vivâ voce*."

No responsible person will deny that if the progress so far achieved is to continue, the administration of India must be conducted in accordance with Western methods of government and in harmony with the principles of Western civilisation. But it is difficult to believe that this essential condition will be violated by the establishment of simultaneous examinations; for the successful candidates in India would still be required to pass their period of probation, which might be extended to two years, in England. Nor is there any immediate danger that the Civil Service would be flooded with men not duly imbued with Western ideas and culture. For one thing, the standard of education prevailing in India is not everywhere sufficiently high and it may be long before the majority of schools and colleges here will be able to impart instruction of a character such as is necessary to successful competition with candidates trained in British educational institutions. In fact, objections to the holding of the open competitive examination for the Civil Service in India on the grounds that the major part of the Civil Service will, in that case, very soon consist of Indians and that this country does not provide for its youths education of a sufficiently high and liberal character, are mutually destructive. Moreover, the quality of education in India seems to have no bearing on the propriety or impropriety of holding simultaneous examinations, for the Civil Service examination being competitive in its nature and designed to test the abilities of candidates who have received "the most finished, the most liberal education" Great Britain can afford, the unfit will easily be eliminated. As to the proposition that success in an intellectual test in India does not connote the possession of 'character,' from the sweeping manner in which this argument has been used to justify the nearly complete exclusion of Indians from all higher appointments, it is difficult to understand what is meant by that much-canvassed word. If it be meant that, as compared to Englishmen, the people of this country are to some extent deficient in public spirit and that they have no first-hand acquaintance with the institutions and standards of administration of the West, no Indian will be prepared to gainsay it. But these defects will in a large measure be modified by the compulsory sojourn in England that might be insisted upon in the case of all candidates who are successful

in the open competitive examination for the Civil Service, unless it be assumed that they alone can acquire the necessary knowledge and experience and understand the spirit of the West who go to Europe before passing the examination, that is in one year rather than in another. But if the alleged deficiency in 'character' be taken to imply the permanent inferiority of the East to the West in the capacity for practical work, it must be said that that is not an assumption supported by the experience either of the past or of the present. The average level of efficiency in most of the European countries is believed to be higher than that prevailing in this land; but may not this inequality be in a great measure attributed to the great difference between the educational and political conditions of those countries and India and between the opportunities open to the respective peoples?

The most important reason, however, that the last Public Services Commission advanced for deciding against simultaneous examinations in opposition to the views of the overwhelming majority of witnesses in favour of them, was that it would result in grave injustice to the educationally backward communities. The reference was specially to the Muhammadan community, which at that time fought shy of all intellectual tests. But it has since made a great advance in education, and it is no longer mistrustful of being able to hold its own against candidates of other faiths and nationalities. The honorary secretary of the All-India Muslim League has advocated simultaneous examinations as strongly as the Indian National Congress.

The two last-mentioned considerations do not present difficulties of an insuperable character. A Government that rules over 315 millions ought to be able to make arrangements to prevent the examination papers from leaking out. As to the *vivâ voce* test, there are two ways in which it can be carried out. The professional agency available in India may undertake it, the examiners being required to note down the questions and answers, together with any remarks which they may consider necessary, for the information of the *vivâ voce* examiners in London, who alone will have the right to award marks. Or, if the professional staff in India be considered unequal to the task, which, by the way, would not speak much for the present system of recruitment of the Indian Educational Service, the *vivâ voce* examiners in London may be brought out to India at the expense of the Indian Government. In view of the advantages to be gained, India will cheerfully bear this addition to her expenditure. It may be mentioned here, as a fact deserving of consideration, that there are good men who have questioned if the importance of the oral test is not overrated, for while one examinee may be quick and shallow, another whose mind is slower to work may possess a sounder judgment and a more penetrative intellect.

It is now being asserted that even those Indians who have entered the Civil Service through the door of competition are not generally as efficient as their European colleagues. Under the present system, which is supposed to be fair to Indians, since the commencement of the Civil Service examination in 1855 up to the present time less than ninety Indians have attained success in it as against, roughly speaking, 2,700 Britishers. That this small number comprises the names of men like the late Mr. Romesh Chandra Dutt, Mr. B. L. Gupta, and Sir K. G. Gupta is a sufficient refutation of the allegation. The Public Service Commission of 1886 reported that "the evidence tendered before the Commission is to the effect that the Native gentlemen who have up to the present time succeeded in gaining appointments in the Indian Civil Service through the channel of the English competition have performed their duties to the satisfaction of their superiors and have proved themselves to be generally efficient servants of the State. From this view the Commission sees no reason to dissent." And again, "after a careful consideration of the arguments which have been brought forward on the subject, the Commission is unable to proceed on the general assumption that Natives are unfit for district or other executive charges. They have as yet had no sufficient opportunity of showing their capacity in this respect in the higher executive administration, and the generality of this assumption is not warranted by experience in departments in which Natives have already been tried." We are not aware of any circumstances during the last twenty-five years which would justify a contrary view. The successs of the famine administration last year in Gujarat is the latest instance of efficiency displayed by Indians when given equal opportunities with others. My Committee is not prepared to admit that, speaking generally, Indian Civilians have, any more than their European colleagues, failed to give proof of courage and resourcefulness in dealing with emergencies. An Indian here or there may have proved a failure, but it is well known that not every European has proved a success either. The plague riots in Cawnpore occurred when a European Civilian was in charge of the district, and the tension during the recent unrest in Bengal was acutest in districts which had European heads.

But even if it be granted that Indian Civilians have in some cases proved less efficient than European members of the Civil Service, it remains to consider how far the present system itself, which keeps out Indians largely from the higher positions of trust and responsibility, is answerable for the deterioration in their character. It is employment in responsible positions alone that develops a sense of responsibility, and for lack of opportunity even such qualities as exist get rusty and become useless. Again, a European comes out to India with all the prestige that attaches to a ruling race, and conscious that the sympathies of the entire Civil Service are with him and the might of the Government at his back. An Indian, on the contrary, feels that he is on his trial throughout his career, and that his actions are being critically watched. As to impartiality, it is not every European officer who is believed to be impartial, nor is every Indian officer thought to be wanting in that quality. And it is surely the duty of an enlightened Government to discourage and not to

accentuate prejudices against its officers on the score of their race or religion.

With reference to the alleged inadvisability of allowing Indians, even when efficient; to occupy the higher administrative posts on political grounds, my Committee submits that Parliament has settled the question once for all and that it would be a sad day in the history of the British Empire when the conviction might be forced on the minds of the Indian people that allegiance on their part to the British Crown would stand in the way of their fullest development. For reasons explained above, my Committee is of opinion that the introduction of simultaneous examinations should no longer be delayed. The existing system, whereby the open competitive examination for the Indian Civil Service is held in London only, prevents many of the ablest of our youths from competing for it, and closes one of the most important avenues to preferment to indigeneous talent. Of 1,242 Civilians only 59 are Indians. It deprives us of one of the most honourable means of serving our country and prevents us from utilising the valuable knowledge and experience acquired during years of practical work by those who have served the State in responsible positions but who, being foreigners, leave the country as soon as their term of service expires. My Committee would point out that, of the 139 European witnesses examined by the Public Service Commission of 1886, 49, or about 35 per cent., were in favour of simultaneous examinations. It therefore ventures to think that any fears that a change in the direction suggested will be attended with consequences disastrous to the stability of British rule or the efficiency of administration, are chimerical. So far from this being the case, the presence of Indians in the ranks of the Civil Service will introduce elasticity and infuse an element of sympathy into the administration, thereby conducing to its popularity. That, equal opportunities being given, Indians can make more satisfactory administrators in their own country, seems to us to be beyond question. In addition to linguistic and other advantages, they have that intuitive knowledge of the needs and wants of the people which foreigners must lack. The services of Indian officers will be specially valuable to the Government during the present period of transition from paternalism to government by consent. The need of the future is not the patriarchal officer, but one capable, by reason of his knowledge and broad-mindedness, of dealing with the problems which will arise from the progress of education, and which mark a living community from a dead one. Economic considerations, too, point to the advisability of employing indigenous agency as far as possible. "It has been justly objected," observed the Public Service Commission of 1886, "that the emoluments of these (*i.e.* European) officers entail a serious charge on the Indian revenues." The burden has increased considerably since then. Exchange compensation allowance would not have figured among the heads of Indian expenditure, at least it would be a much smaller item, if a large use had been made of the material available in India. At present out of more than a thousand posts reserved for the Indian Civil Service only 93 are held by Indians, and of the civil pension and superannuation allowances, amounting to a little less than 4 crores of rupees, in 1909-10 more than half was paid to a handful of Englishmen, while less than one-half was all that fell to the share of this country. It appears from a return presented to the House of Commons in 1892, on the motion of the late Mr. Seymour Keay, M. P., that, excluding the rank and file of the British Army, the total of the pay, pensions, and allowances received in 1889-90 by public servants and retired Government officials of all descriptions drawing salaries of Rs. 1,000 and over annually amounted to about 18½ crores. Of this sum about 3 crores was received by 17,000 Indians the remaining 15½ crores being received by 28,000 Europeans and Eurasians. Significant as these figures are, they become almost startling when the proportion of the small European and Eurasian population in India to the entire population of the country is taken into consideration. That the state of affairs has not changed materially since 1890 is apparent from a reference to statistics supplied last year by the Government of India in answer to an interpellation in the Viceregal Council by the Raja of Dighapatia. Of the 1,678 posts carrying a salary of Rs. 500 and more, created between 1867 and 1903, only 472 or about 36 per cent. were given to Indians. Between 1903 and 1910, the number of such posts was further increased by 1,530, Indians being appointed to only 318, or about 20 per cent. of these. The total number of such appointments at present is 5,390, and of these only 924 or about 17 per cent. are held by Indians. A policy which results in such grievous injustice to the children of the soil cannot be pronounced to be just, and a radical change in it is proved to be necessary by considerations alike of justice and policy.

II.

43190. Another urgently-needed reform is the separation of executive and judicial functions. It is a recognised principle in all civilized countries that, in the interest of an impartial administration of justice, the duties of prosecutor and judge should not be combined in one and the same person. But in India, the Collector and Magistrate is not only the head of the police, which is charged with the prevention and detection of crime, but he controls the subordinate magistracy which tries criminal cases. Such a system is manifestly open to grave objections in principle, and experience abundantly confirms their reality. The abuses of the system have been so well summed up by Sir Harvey Adamson, as Home Member of the Government of India, in his speech in the Viceregal Council on the 25th of March 1908, that we make no apology for quoting from it at length. "The faults of the system," he observed, "are not to be gauged by instances of gross judicial scandals. They are manifested in the ordinary appellate and revisional work of the higher judicial tribunals. In one case a sentence will be more vindictive than might have been expected if the prosecution had been a private one. In another a conviction has been

obtained on evidence that does not seem to be quite conclusive. In short, there is the unconscious bias in favour of a conviction entertained by the Magistrate who is responsible for the peace of the district or by the Magistrate who is subordinate to that Magistrate and sees with his eyes. The exercise of control over the subordinate Magistrates by whom the great bulk of criminal cases are tried is the point where the present system is defective. This control indirectly affects the judicial action of the subordinate Magistrates . . . . . I fully believe that subordinate Magistrates rarely do an injustice wittingly. But the inevitable result of the present system is that criminal trials, affecting the general peace of the district, are not always conducted in the atmosphere of cool impartiality which should pervade a court of justice. Nor does this completely define the evil, which is not so much in what is done, as in what may be suspected to be done; for it is not enough that the administration of justice may be pure; it can never be the bedrock of our rule unless it is above suspicion."

It is frequently alleged against the reform here advocated that by weakening the power and position of the district officer it will impair the prestige and authority of the direct representative of the executive government. The objection is not very complimentary to those in the interest of whose authority it is made, for what does it mean in plain language but that the people are afraid that the District Magistrate should be high-handed enough to secure the punishment of those who offend him, by extra-judicial means? The combination of judicial and executive functions in one officer may, with all its disadvantages, be necessary in rude or lawless societies, but it is a source of serious evil in the stage of development which has now been reached by nearly all the provinces in India. It causes the district officer's motives to be suspected; and, "can any Government," asks Sir Harvey Adamson, "be strong whose administration of justice is not entirely above suspicion?" "The answer," he goes on to say, "must be in the negative. The combination of functions in such a condition of society is a direct weakening of the executive."

The desirability and even the necessity of the proposed reform have been acknowledged by two Secretaries of State of India, Viscount Cross and the Earl of Kimberley. Public opinion has been long demanding it, and an influentially-signed memorial urging the same reform was sent to the Secretary of State in 1899. And the Government of India itself was so thoroughly of the same view that Sir Harvey Adamson, in the speech quoted from, outlined a scheme which was to be worked tentatively in the two Bengals, and went on to say: "The experiment may be a costly one, but we think that the object is worthy." Nevertheless, for reasons not known to the public, nothing has so far been attempted in that direction.

Although my Committee is strongly of opinion that no financial considerations should be allowed to stand in the way of separating judicial from executive functions, it believes that the proposed change will not impose any serious burden on the country, for it will involve more a redistribution of duties than an addition to the number of officers. Besides, the district officer, being relieved of judicial work, will be more free to attend to his executive duties, in which case a superior police service will be a superfluity.

The recruitment of the judiciary is a matter of the greatest moment. The Civilian Judge is not well fitted by training or by habit of mind for the proper discharge of judicial functions. As a general rule, his knowledge of law leaves much to be desired and is more often restricted to criminal law. From the commencement of his service up to the time he is suddenly placed on the Bench, his work has lain in the executive line. He does not know almost till the day of his appointment whether he is to be a judicial officer, and is not sure if he will not be recalled to executive work. Without previous training he is entrusted with duties which call for an intimate knowledge of law and in the execution of which he has to deal with trained and competent lawyers. Such a state of things is conducive neither to justice nor to the dignity and prestige of the official concerned. Even temperamentally, too, the Civilian is not always fit for judicial work, for he is primarily recruited with a view to executive and administrative work. "Patience and discrimination, respect for the forms of the law, rigid imperviousness to rumour and to outside report—these," says Sir Henry Cotton, "are some of the qualifications which are the essential attributes of the judicial office. There is no stage in the career of a Civilian which affords him the opportunity for their acquisition." If the courts of justice are to administer law, and the people to repose confidence in them, it is necessary that the judiciary should be recruited separately from the executive service, and that judicial appointments should be made from amongst the members of the legal profession and the Subordinate Judges, who under the existing system of recruitment are men who have graduated in law and have, as Vakils, had a fair and adequate experience of the working of district courts. When it is remembered that the capacity of Indians for judicial work is admitted on all hands and that the Public Service Commission of 1886 recommended the throwing open of one-third of the District and Sessions Judgeships to the Provincial Service, no fear need be entertained that the change will be productive of any undesirable consequences. Moreover in England, the system of appointing lawyers to the Bench has proved highly successful, and there is no reason why it should not be followed with the same success here. In other European countries where the Bench is not recruited from the Bar, it is well known that the judiciary does not command the respect and confidence which Judges in England do. There is no dearth of legal talent, Indian or European, in this country, while Barristers from England may be directly appointed for posts in which a knowledgre of the principles and practice of English law may be considered necessary. This proposal had the support of an expert no less distinguished than the late Sir Charles Paul, long Advocate-General of Bengal. "It is a mistake," he said, "in these advanced days to appoint Civilians to high judicial posts which ought to be filled properly by thoroughly

trained and thoroughly experienced Barristers and Pleaders. What can an ordinary Civil Servant, however intelligent and well-educated he may be, know of the tremendous complications and the innumerable technicalities of a mixture of English and Muhammadan law? . . . Many years of extensive practice and a long familiarity with principles and cases will alone fit a man for so great a task." My Committee is aware that, in order to meet the evils resulting from insufficient legal knowledge, it has been proposed to make special arrangements for the study of law by Indian Civilians during their period of probation, which, it is suggested, should be extended to two years; but it regards such a measure in the nature of a palliative, and is firmly persuaded that the true remedy lies in a complete change in the method of recruitment of the Judicial service.

While dealing with this subject my Committee would venture to press one point on the attention of the Commission. The appointment of men in the Provincial Judicial Service to District and Sessions Judgeships has sometimes been objected to on the ground that they have no experience in trying criminal cases, which District and Sessions Judges are every day called upon to hear in appeal. My Committee suggests that, henceforth, Munsifs, or by whatever designation the officers may be called in future, should be allowed to try criminal cases. If the separation of judicial and executive functions is decided upon, this proposal can be easily carried out. A few Deputy Magistrates may be entrusted wholly with revenue work and left under the control of the executive officer of the district, while the remaining Deputy Magistrates and Munsifs can be formed into one body, empowered to try both civil and criminal cases. These Deputy Magistrates, it goes without saying, must be recruited from men who possess a sufficient knowledge of law.

III.

43191. If the recommendations of my Committee in regard to the re-organization of the Judicial and Executive services are accepted, the problems connected with the recruitment, training, and promotion of men belonging to the Provincial Service will be greatly simplified. The bulk of the Provincial Civil Servants will then be engaged in judicial work. The mode of selecting them will continue as at present, and deserving officers will have the opportunity of rising to the highest judicial posts in the land. As for officers in the revenue line, whose number will not be large, they may be selected by means of competition and those among them who give proof of exceptional merit may be advanced to higher executive posts in virtue of the power vested in Local Governments to make special appointments as a reward for proved "merit and ability."

Should, however, the suggestions made above not find favour with the Commission, my Committee would make the following proposals for increasing the efficiency and improving the quality of officers employed in the Provincial Civil Service. First appointment to posts in the Executive Provincial Civil Service should be made in accordance with the result of a competitive examination, separate for each province or presidency, the standard prescribed being such as to ensure the possession of high educational qualifications on the part of successful candidates. This object will be duly secured if the examination in every province is designed to test the abilities of those who have graduated from the provincial University, law being included among the subjects of examination. No preliminary educational qualifications need be required on the part of those who participate in the examination, for the incompetent will easily be weeded out by a system where selection depends not on nomination but on success achieved in a competitive examination. In general the competitors as well as those who finally succeed in gaining admission into the Service will be wholly drawn from men holding University degrees, but occasionally a candidate without University qualifications, but possessing the knowledge and character which are essential to those who are to occupy responsible positions, may present himself for examination. And my Committee, desirous of leaving open every avenue to the entrance of merit and ability, would deprecate any obstacles being placed in the way of such a man.

Competition may not be the best mode of selection conceivable, but it is certainly the best available. It is free from the defects that attach to nomination and will always attach to it, unless human nature undergoes a revolution. It was resorted to as a method of recruiting Deputy Collectorships in these provinces, during the *régime* of Sir Antony (now Lord) MacDonnell, with great advantage to the public service, and we are not aware of the reasons which led Sir Antony's successor to abandon the system inaugurated by him. The Provincial Judicial Service has improved considerably during the last twenty-five years, and the change is wholly attributable to its being recruited from men with fairly high educational and legal attainments. My Committee entertains no doubt whatsoever, that if appointment to the Provincial Executive Service, also, be confined to those who have received a high education, the results will be equally beneficial.

As to the Provincial Judicial Service, the present method of recruitment from amongst LL.B.'s and High Court Vakils of three years' standing has been shown by experience to be quite satisfactory. Moreover, judicial officers require a knowledge of the principles and practice of law such as can seldom be gained merely from books. For these reasons, my Committee does not think any radical change is called for in the system of recruitment which prevails at present.

The pay and grading of officers in the Provincial Service, both in the Judicial and Executive branches of it, require revision. The Judicial branch is recruited from a better-educated class and is therefore purer. But if the Provincial Service as a rule is to attract to itself men of a superior stamp and to keep them above temptation, their initial salary and future prospects must be materially improved. Their salary is low to start with and a block in promotion frequently occurs on account of the small number of posts in the higher grades. My Committee would

suggest that the initial salary should be raised and that the number of posts in the higher grades should be increased, a reduction at the same time being made in the number of grades.

To sum up, the main recommendations of my Committee are—

(i) That the open competitive examination for the Indian Civil Service should be held simultaneously in India and England; (ii) that judicial and executive functions should be entrusted to separate authorities; (iii) that the best method of securing a competent judiciary is to appoint to judicial offices men who have received a thorough legal training; and (iv) that the Provincial Civil Service should be recruited by means of open competition.

Should these be accepted, my Committee feels sure that not only will it produce widespread satisfaction in the country, but result in an accession of strength to the administration and greater stability to British rule.

IV.

Written answers relating to the Indian Civil Service.

43192. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—Please refer to the statement, Part I. In addition my Committee would urge that Natives of British Colonies the services of which are closed against Indians should be debarred from service in India.

43193. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.—Please refer to the statement, Part II.

43194. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vic. c. 3), as including "any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The present definition of "Natives of India" is unsatisfactory as it excludes all persons born outside the limits of British India, whether in the Native States or outside India, even though they be of pure Indian descent. The definition should be so altered as to include all persons born of parents domiciled in India, irrespective of the place of birth.

43195. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—Sanskrit and Arabic, the classical languages of Hindus and Muhammadans, should have the same number of marks assigned to them as Greek and Latin, and Indian History should have a place among the subjects of examination. The exclusion of the latter from the syllabus of subjects is indefensible.

43196. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No such differentiation ought to be made.

43197. (18) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—We are not in favour of the principle involved, but the system has been in existence for a long time and any sudden change in it may prove detrimental to the efficiency of the Civil Service. Memberships of Executive Councils and High Court Judgeships should not be "reserved" to members of the Civil Service, while the former should certainly be open to them. Besides, as recommended by the Public Service Commission of 1886, power should be given to the Government of India to withdraw, with the permission of the Secretary of State, from the schedule to the Act of 1861 any appointments or classes of appointments for which candidates with English qualifications may no longer be conidered necessary.

43198. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—My Committee is unable to accept the theory that a minimum proportion of the higher posts must for all time to come be held by Englishmen. No doubt an adequate number of Europeans in the higher posts is necessary for an appreciable time in the interests of Indian progress, but my Committee does not apprehend that for a long time their numbers will be sensibly diminished even if simultaneous examinations are granted.

43199. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—My Committee does not favour the appointment of military officers to civil posts. Such appointments may be necessary when a province or a portion of it is in an unsettled condition, or inhabited by rude or warlike tribes, but they are unsuitable to the circumstances prevailing now in practically every province of India.

43200. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

43201. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation ought to extend to two years. As to the course of instruction, my Committee strongly feels that the probationers should

be required to study, besides law and the vernacular of the province to which they will be posted, Indian History, and in particular, the political institutions of England, including the constitution and working of its local bodies. Our political and municipal institutions are being increasingly moulded every day on their English prototypes, and it is therefore desirable that members of the Indian Civil Service should make a thorough study of the principles and the working of the systems of central and local government in England. If India is to be governed in accordance with Western principles and methods of government, not only Indians but also Europeans who come out to this country must be thoroughly acquainted with them.

43202. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No special arrangements are required for Indian probationers.

43203. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The period of probation should be spent in England.

43204. (45) Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The minority report of the Welby Commission thus summed up the objections to the grant of the exchange compensation allowance to English officers:—

"The grant of this compensation was much resented in India (1) . . . . . because sufficient consideration was not shown for the taxpayer, who, himself a sufferer from the fall in exchange, had to compensate his richer fellow-sufferer; (2) because it depended upon race privilege, an Indian official receiving no compensation, though he may make large remittances to England for the education of his family at English schools and colleges; (3) because it was indiscriminate, not regarding the rate of exchange when the *employé* entered the Service, nor the fact whether or no any remittance was being made to England . . ."

These objections still hold. Moreover, exchange had been falling for two decades prior to 1893, and there was no evidence to show that during that period the depreciation of the rupee and, consequently, of the salaries of English officials had any effect on the quality of the candidates for the Civil Service examination. Besides exchange has been fixed now for many years at 1*s.* 4*d.* the rupee, and it is particularly unfair that the compensation allowance should be continued. Nor is there any reason to believe that if the exchange compensation allowance is discontinued it will be followed by undesirable consequences in the future. It should not be given to those who will enter the Service in future; while as regards those who draw it at present, only the actual amounts now received by them should be continued, if at all, and no addition should be made to it with future increments in their pay.

43205. (50) Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—If simultaneous examinations are granted, the pay of the entire Civil Service should be reduced by one-third. The amounts so reduced should be declared to be salaries attached to the respective posts; those who pass the examination in London being, however, allowed the balance of the existing salaries. This arrangement would be far better than the existing one, for while it does not decrease the attractiveness of the Civil Service for Britishers, it does away with the present invidious distinctions in the rate of pay of officers holding the same post according as the incumbent belongs to one service or another, or one race or another.

PANDIT MADAN MOHAN MALAVIYA, called and examined.

43206. (*Chairman.*) You are a vakil of the High Court, Allahabad?—Yes.

43207. You were a member of the Provincial Legislative Council from 1903 to 1901?—Yes.

43208. You have been a member of the Imperial Legislative Council since 1901?—Yes.

43209. You were President of the Indian National Congress in 1909?—Yes.

43210. You desire in addition to your written answers to put in a memorandum on behalf of the United Provinces Congress Committee?—I have already handed it to the Secretary and have requested him to put it before you.

43211. You are a strong advocate for simultaneous examinations?—Yes.

43212. I understand you advocate a double simultaneous examination, both for the Executive and for the Judicial branches?—Yes.

43213. What is your particular object in making the examinations of the two branches separate?—Because the duties of the executive and judicial officers are different and the training for them should be different.

43214. You desire, also, that the examinations should be different?—Yes, I do not think that by one examination the capabilities of the two classes of officers can be satisfactorily tested. The subjects of examination should be different and the standard of knowledge required of different subjects should be different in the case of the two classes of officers.

43215. You do not agree with the principle laid down by Lord Macaulay with regard to these examinations?—I do not, as far as this part is concerned.

43216. You do not think it important that the subjects for an examination should be such as to give a general education to the candidate which will prove useful to him in other capacities if he does not enter the Service?—I do not think that the subjects should be fixed with a view to test the ordinary general education which every candidate who wants to compete for the Indian

Civil Service should receive. To secure that I have suggested that no candidate should be allowed to sit for the competition unless he has graduated at one of the Universities; but when the subjects were fixed, the idea prominent before the mind of the Committee was to prepare a syllabus which would be useful to the youths in England, even if they did not succeed in the Civil Service Examination, rather than to prepare a syllabus which would secure the requirements of the two branches of the Service. The Committee make that very clear in their report.

43217. Have you estimated what the cost would be of holding the examinations in England and also in India?—No, I do not think that would matter. It cannot be so much as to be of any real account.

43218. You think that the Muhammadans are coming round to your views?—Yes.

43219. You say that if simultaneous examinations are held in India and in England a large number of Indians may gain admission to the service, and that, far from that being an objection to the proposal, it is one of its strongest recommendations?—Yes. I think so.

43220. Therefore you do not desire to see a European preponderance maintained in the administration?—No, I do not. I think we should work to secure more and more of Indian preponderance. The European element should be gradually but steadily reduced as Indians qualify to take up higher offices in the Administration. I may add that I do not think that a European preponderance in the services is at all essential to the permanency of British rule in India. I think that rule will be quite as strong and enduring with an Indian preponderance in the services as with a European preponderance in the service.

43221. Assuming that the Commission were not prepared to accept your proposals, have you any other alternative to suggest?—I would adhere to this one proposal, being convinced that if the Commission does not see its way to recommend it now, it is still bound to be accepted in the course of a few years.

43222. This is your last word upon the subject?—This is my firm conviction. This is the only fair solution of the problem. To my mind simultaneous examinations must be established in order to solve the question of the larger employment of Indians in the higher posts of the Services.

43223. If your scheme is not carried out would you prefer to see the present system maintained?—I would let the present system continue because that will be a strong assurance for the change coming in early.

43224. In answer to question (6) you say, "the high standard of purity and efficiency which distinguishes the Indian Civil Service is, I claim, determined less by the conditions of social life in England than by the conditions of the Service itself." I take it you mean by that that given good pay, good prospects, and generally good conditions, the Service can be manned equally well either by Europeans or Indians?—Yes.

43225. Turning to your proposals in answer to question (50) you make certain suggestions as regards the reduction of the salaries of the members of the Indian Civil Service?—Yes.

43226. I think you say they are excessively high in certain grades?—Yes, in the higher grades.

43227. You would reduce all salaries above Rs. 2,250 by 25 per cent.?—Yes.

43228. I do not quite understand what you mean by your further proposal. Do you want a further reduction, or that an allowance should be granted over and above the reduced salaries?—What I mean is this, that beyond Rs. 2,250 I would fix the unit of salary at 50 per cent. less than the present standard. I would give 25 per cent. of that, i.e. a half of it, as an allowance to the European members of the Civil Service who are not Natives of India under the Statute. To Indian members I would pay 50 per cent. less of the amount of the present salaries above Rs. 2,250; that is to say, I want the unit of the standard to be the same for all the services of the Crown; but Europeans, not residents of India, to receive 25 per cent. more than Indians.

43229. What are your reasons for suggesting this substantial reduction?—I have stated my reasons. The salaries are higher than they should be in a country so poor as India is. In view of this and also because the salaries are higher by comparison with salaries which obtain in other places, for instance, in Ceylon, I think all salaries above Rs. 2,250 should be cut down by 25 per cent.

43230. Do you admit that the cost of living has increased in India during the last ten years?—Yes; but the salaries are sufficiently high to cover all that. I do not think that has really affected the situation.

43231. You think the Services will maintain their high position that with this reduced standard?—Yes, I believe it.

43232. You suggest that the pay is in excess of the pay that would be granted to men in the commercial world?—I have not taken the facts of the commercial world into consideration; I have taken two facts into consideration: a comparison of salaries which obtain in England and in Ceylon, and the financial condition of this country. The average income of the people here and the high salaries which obtain make a rather unfavourable contrast.

43233. Do you seriously say that Rs. 4,000 or Rs. 5,000 a month for a few officers is in excess of the emoluments attached to other professions, the Bar, or business posts?—I think it is comparatively high when you consider the certainty which attaches to the Service. At the Bar a man might make a large income in one year, but the next year he may lose some of his business or he may be paralysed or not favoured by fortune. A fixed steady income means much more than an unsteady income.

43234. You think your proposal will contribute towards the efficiency of the service?—I do not think it will reduce the efficiency of the Service.

43235. (*Lord Ronaldshay.*) With regard to the standard of the education of those candidates who now go up for the Civil Service examination, you say that the present system is unsatisfactory because a sufficiently high standard of general education is not required as a

preliminary qualification. But do you not think that the Civil Service examination is a sufficient test of the high standard of general education?—I do not think the Civil Service examination compares well in its educational value with a University education. The Civil Service examination is a special examination for which a man has only to prepare himself in a special manner. The training for three years at a University will make one a much more accomplished man.

43236. When you say that the Civil Service examination is a special examination, is it not an examination which tests a man in subjects which go to make for a general education?—A man may prepare himself in particular subjects by cramming and with the assistance of coaches, but he will never get the culture which a University training will give him. I want that to be insisted upon as a preliminary condition.

43237. Do you think men do not pass their examinations by cramming?—I suppose some of them do. A large number do not, however. Besides, they all come under what I would call University influence. In that way the University gives them an advantage.

43238. With regard to what you have told the Chairman as to the reduction of salaries, your proposal is that salaries, up to Rs. 2,250 should remain as they are, but that any higher salary than that should be reduced by 25 per cent.?—Yes.

43239. Have you ever asked yourself how that would work out in the case of the United Provinces?—No, I have not.

43240. Do you think this would be a satisfactory arrangement? For instance, at present the Commissioner of Kumaun gets a salary of Rs. 2,500; below him there is a large class of Magistrates and Collectors who receive salaries of Rs. 2,250. Their work, of course, is not so responsible as that of the Commissioner. If your scheme is put into practice these men with less responsibility would still continue to receive salaries of Rs. 2,250: whereas the Commissioner of Kumaun, a man of greater responsibility and more arduous duties, would have his salary reduced by 25 per cent. which would be Rs. 1,878?—I beg your pardon. I have explained clearly that I do not want salaries up to Rs. 2,250 to be touched. I want the portion of the salaries above Rs. 2,250 only to be touched. A Commissioner would draw his Rs. 2,250 *plus* something which he would get above that. He would not get anything below it. I said I would reduce salaries above Rs. 2,250; that is to say, the portion of the salaries which goes above Rs. 2,250, in the manner I have suggested. Up to Rs. 2,250 all salaries would stand as they do at present.

43241. Then it is to be reduced by 25 per cent. of the difference between Rs. 2,250 and its present rate?—Exactly.

43242. (*Sir Theodore Morison.*) I should like to understand your remedy for the state of things you have referred to, *viz.* about the want of a high degree of culture. You say that everybody should take a degree, and after they have taken their degree that they should begin to prepare for the special examination which would be in subjects which were different from those of the ordinary University career?—That is my suggestion.

43243. What sort of subjects are you thinking of? You would have to arrange rather carefully, would you not, that none of those subjects figured in the University curriculum?—I do not mean to be absolutely strict with regard to the exclusion of these subjects. As I have said in another place, the fixing of the syllabus is for experts like yourself.

43244. You are a fellow of the University?—I was at one time. I bowed to your judgment then, and I bow to your judgment now in this matter. Ordinary subjects, which ought to be taken up in the University course, should not be included in the special examination for the Indian Civil Service.

43245. I may as well tell you frankly what I am thinking of. It seems to me that you will put a premium on a man taking the easiest University course; taking up with the much easier subjects and devoting all his spare time to taking up special subjects for that lucrative examination he is going to pass later. The result of this system must be to exclude from your service all the most brilliant graduates?—It is to be provided against in two ways. In the first place it will be in the power of the Commissioners to prescribe what degrees of the University shall be accepted as good. If the standard prescribed for the degree in any particular University is low I should cut out that University.

43246. I am afraid you will have to begin by cutting out Oxford and Cambridge, because the "pass" degree is one of the easiest?—I was going to add, secondly, that at the present moment no such preliminary qualification is required. At present a man who has never worked for a degree can go up for the Civil Service examination. If my proposal is accepted you will have something more than what is at present required, so that it cannot be a loss.

43247. The subjects of your examination according to your hypothesis will not be the liberal subjects of study which are part of every University course. Your proposal rules them out. You propose to exclude them?—I propose to exclude them for I would substitute something higher for them, and I would ensure a knowledge of those subjects by allowing only these graduates to sit for the examination who have satisfied the standard fixed by the Commissioners. If there is a University which gives cheap degrees, such as some American degrees, I do not wish those degrees to be accepted. The real test would be the final test. If a man has satisfied himself with a cheap degree, or a degree of no value, he will find out to his cost that he was mistaken when he sits for the final competition.

43248. Later on you say that you hope that the institution of the simultaneous examination will have a stimulating effect upon Indian education?—I do.

43249. That, I understand, is one of your grounds?—Yes.

43250. It has been urged upon us on more than one occasion that it may have a very harmful effect. You think the very opposite?—Yes, I am of opinion that there is no justification for thinking that it will have a deleterious

effect ; particularly as I have submitted that the possession of a degree should be a preliminary qualification which would partly work against the apprehension which you have mentioned.

43251. You think that this examination will produce an effect which will be felt in every seat of learning throughout the realm. Do you think that the Universities of Durham, Cork, and Belfast have very much profited and been much stimulated in the last 59 years?—I have no knowledge of that. I have quoted this opinion of the Committee as expressing the effect likely to be produced, rather than as a statement of the actual facts in connection with the Universities mentioned.

43252. Does it not seem to you that it has not had that effect, because you know quite enough of the Universities of the world to know that these are not very distinguished seats of learning in spite of having had this stimulus applied to them for the last 59 years?—As I have said, I am not sufficiently acquainted with the facts about those institutions. I know them only by name: I am not in a position to offer an opinion.

43253. You quoted them as examples?—I quoted the opinion of the Committee in support of the general view that such examinations would have a stimulating effect upon educational institutions generally.

43254. (*Mr. Abdur Rahim.*) I understand you propose two separate examinations, chiefly on the ground that the requirements of the Judicial service are very different from the requirements of the Executive service?—Yes.

43255. Then I take it in the examination for the Judicial service the main subject of the examination would be Law?—Yes.

43256. Then you will have two services side by side, the one not having anything to do with the other?—Exactly.

43257. We have been told by a number of witnesses that it is essential for a Judge to be an Executive officer for some time: that he cannot be a good Judge unless he has been an Executive officer for 5 or 8 or 10 years, and that the more Executive work he has done the better Judge he will be?—Firstly, that does not find support in the judicial courts in England; secondly, I do not agree with that view at all.

43258. What is your experience of the courts here?—My experience is of a mixed character. Some Executive officers have judicial minds and some of them make better Judges in practice than some of those who are actual Judges; but that results from the want of legal training in the case of Judges (I am speaking of members of the Indian Civil Service). The real defect which is found in Executive officers is that they have not at any time been required to study Law sufficiently to be able to deal with legal questions. Where it is a matter of commonsense they generally arrive at as sound a conclusion as their brother Judges in the Judicial branch; but as a rule whenever legal questions arise, it is only a few members of the Civil Service who apply themselves sufficiently to them and are able to deal with them satisfactorily. There have been some distinguished members of the Civil Service who have made good Judges, for instance, Sir Robert Aikman in our High Court.

43259. But, as a general rule, you think a much more systematic study of Law is necessary for the purpose of the Judicial members of the Civil Service?—Absolutely.

43260. No doubt, as you have pointed out, there have been some distinguished Judges from the Civil Service; but do you consider it necessary that a Judge should have Executive experience: is that a necessary part of his equipment?—I think that that will prejudice him in the discharge of his duty as a Judge.

43261. Is that your experience?—Yes, I have had experience of the way Magistrates have decided cases, and I know that some of them have been transferred from the Executive to the Judicial branch by way of condemnation by the Government.

43262. Is that tendency observable in any officer when he assumes the duties of a District and Sessions Judge to any extent?—I think that for some years after they take up Judicial work that tendency is marked more or less: but so much depends upon individuals that I should not like to hazard a general opinion.

43263. You append a note in which a strong opinion is expressed in favour of the separation of the Judicial and Executive functions?—Yes.

43264. I do not think you yourself have expressed that opinion in your written answers?—No; but I entirely endorse that opinion.

43265. May I ask you if it is an acute question in this province; it seems to be in several other provinces?—I think it is a question which presses for solution. If by the word "acute" you mean that people are crying out against it, I do not think that is the case, but all sensible people among the non-official Indian public feel that it is a separation which ought to take place. Although cases do not occur every day to illustrate the evil of the combination of the two functions, cases have occurred; and one case in twenty years is sufficient to illustrate the evil. We strongly desire that the two should be separated.

43266. Does the abuse of the combined powers tend in a general way to impair the confidence of the public in the administration of justice?—Yes. And it is shown by the number of applications for transfers which are made from time to time in criminal cases to the High Court on the ground that the Magistrate of the district, being the Executive head of the district and other Magistrates being subordinates working under him, he or one of them may not be able to administer fair justice in the case before him. I remember several such applications having been made to the High Court during my time.

43267. You have had several Indian members of the Civil Service working in this province?—Yes.

43268. In your experience have these gentlemen experienced any particular difficulty by reason of the fact that they are not men belonging to this province?—I do not think so. I think they have been treated with as much consideration as anybody.

43269. You do not think that they inspire any less confidence than if they had belonged to this province and passed out as members of the Indian Civil Service?—The fact has not been

noted at all. I know some Indian members, and I can name them, of the Indian Civil Service in this province who have been very popular wherever they have been.

43270. (*Mr. Sly.*) I understand you wish to make a University degree a preliminary condition for a candidate to appear for the open competition for the Service?—Yes.

43271. You base that recommendation on the fact that from your experience some members of the Indian Civil Service are wanting in what you call a liberal education?—They did not show as high a standard of ability and culture as members of such a Service should have. I do not say they are wanting in liberal education.

43272. Is the high standard of culture which you have missed amongst the senior members of the Service, or amongst the junior members of the Service, or amongst both?—There have been cases—some amongst the senior and some amongst the juniors. When I say juniors, I should say men of under 20 years' standing.

43273. Is it more amongst the latter or the former?—It is a difficult thing to say. I should say it was among the members of the Service. I am expressing a general opinion. I might say that English clergymen who generally come out as graduates from the Universities frequently show a greater amount of culture and general knowledge than several Civilians.

43274. That is hardly the question I am asking you. Is this defect you have witnessed more common amongst senior officers or amongst junior officers of the Service?—I cannot institute a comparison like that. What I have said is a general opinion which applies to some members of the senior Service and to some members of the junior Service.

43275. Have you taken the trouble to find out amongst the members of the Service how many have taken degrees and how many have not taken degrees?—Recently, since 1894, there have been a large number of members of the Service who have taken degrees. Sometimes it so happens that even in these later years you find that nearly one-fifth of the members of the Service do not posses any degree.

43276. Nearly one-fifth?—Yes, I think so.

43277. That does not compare with the statistics I have: it is quite the exception?—I am confining my remarks to the United Provinces Civil List. I think, generally, the figures show that out of 164 members below 12 years' standing, 124 are graduates and the rest are not graduates. In earlier periods you will find many more are not. For instance, I find amongst men of 23 years' service, out of 44 there are 13 graduates; and out of men of under 18 years' service out of 35 there were 7; and out of men of 12 years' standing, out of 64 there were 44 graduates. I think that even now 40 per cent. of the members of the Service are not graduates. I have not tested the accuracy of this, and it is possible that there might be some slight mistake, but that is generally the result.

43278. We have had a lot of evidence to the effect that the best M. A.'s and graduates of the Indian Universities require at least one or two years' special training in order to have any chance of success at this examination; so that if that evidence is true the qualification you suggest is a much lower qualification than is already secured by the open competitive examination?—I have explained in answering Sir Theodore Morison that I place much value upon a University life of three years before a candidate sits for the competition examination. I think that will secure better culture.

43279. Do not men who pass their degree already get that and something more?—They do; but in that case I would make the syllabus for the competitive examination different from what it is at present. The present system works in an unfair way.

43280. Would you consider three years' study at a non-residential University of the ordinary type in India quite sufficient?—I would consider that an advantage over what obtains at present, but I do not say that it is quite sufficient. There will be the final examination to be worked for.

43281. That would be sufficient evidence of the general culture which you require. When you take a three years' course at a University you mean three years' tuition at an Indian University just the same?—Yes.

43282. You do not mean a residential University?—I mean such Universities as we have in India. A great many Universities have a system of hostels so that to that extent they are residential. As I have said in reply to Sir Theodore Morison, that will be exacting a higher preliminary qualification than is required at present. At present you do not insist upon a degree. If my proposal commends itself to the Commission you will insist upon a higher standard as a preliminary qualification than obtains at present.

43283. The present competition requires a still higher standard than the preliminary test you desire to enforce?—Please bear in mind that I do not say they should be selected for the Service because they possess a degree. That will be a merely preliminary qualification for admission to the examination for the Service. They will have to undergo that test as well.

43284. In addition to that test for general culture, you wish for an open examination in specialized subjects which would be suitable only for the Service in India?—Exactly.

43285. Do you think that the English University trained lads are going to prepare themselves for an examination which is solely directed for a specialized service in India?—I think they will. The emoluments are so rich and attractive.

43286. These youths who have already passed their University education and have gone through their special course of tuition, which is solely suitable for the Indian Service, will then have nothing to look forward to if they fail?—They will be able to turn to some other career.

43287. This career is specially devoted to India and nothing else?—Not necessarily. But a competition for a special service may have its disadvantages as well as its advantages. There would be a special examination for the Civil Service after their graduation.

43288. In addition to that you propose to reduce the higher salaries of the Service?—Yes, to the extent I have indicated.

43289. You desire to have a separate examination for the Executive and Judicial?—Yes.

43290. I understand you are opposed to any European minimum in the Service at all?—Yes.

43291. I suppose these proposals of yours are directed towards reducing the European element in the Service to the lowest possible limits within the quickest possible time. Is that the object?—The object is to get as large a number of Indians into the Service as can fairly enter the Service by competition.

43292. Every one of the measures you have proposed apparently will directly affect the recruitment of Europeans?—If so, I should not be sorry for the result. I want a larger number of Indians in the Service. The object is not to reduce the European number but to get Indians in larger numbers.

43293. You propose a special examination in Indian subjects alone, and that the examination should be held in England and in India, and that the salaries of the Service at the same time should be cut down: all of which measures will apparently affect European competition?—I do not share that apprehension, because I think the conditions of life in India and the conditions of life in England, and the conditions of communication and travelling between India and England, have so changed that we shall still attract a large number of the best youths of England for the Indian Civil Service.

43294. You think your proposals will be an attraction?—Yes.

43295. Do you desire that there should be such an attraction?—Most certainly. I want the best youths of England to come into the Indian Civil Service.

43296. You do?—Yes.

43297. But if the Indian youth is able to compete, you do not wish the English youth to come?—I expect by-and-by we shall be able to compete successfully, and then we can take up the places which our European brothers take up now.

43298. You would have no posts reserved for Europeans, not even that of the Viceroy?—No, none of any kind.

43299. (*Mr. Macdonald.*) Have you come personally into contact with men who have come out recently?—Only very slightly.

43300. Have you heard the argument that they are coming out now at too late an age to assimilate Indian conditions?—I have heard it said occasionally, but I have not myself discussed it.

43301. You have never discussed it with them?—No.

43302. You have no opinion about it yourself?—I think the age at which they come out is better suited to qualify them for efficient executive duties. They come out better prepared to take up those duties than they did when they came out earlier.

43303. You have not heard it said that they come out worse prepared because they are older and they feel it irksome to do the small administrative duties that they ought to do whilst they are in the probationary period?—I think that would show a lack of discipline and a lack of proper arrangements for spending the period of probation in England rather than any disadvantage due to advanced age.

43304. None of us are quite so willing to learn at 28 as we are at 20?—But what a member of the Service at 25 would be asked to learn would be the practical affairs of life in a new country which he will be able much better to grasp and appreciate at 25 than at 23 or 21.

43305. You do not think at 25 they are equally capable of assimilating the new conditions?—I think they would do it better than their younger colleagues.

43306. Supposing we were to take the other view, and came to the conclusion that after 20 years of age a man begins to harden and cannot adapt himself successfully to the new conditions: supposing a suggestion was made that the age should be lowered for the competitive examination to, say 19, what would your view be, and the view from the Indian standpoint?—I should consider it a disadvantage.

43307. Why?—Because I believe that a man's education should be completed, and that he should then be prepared for the special examination for the special Service, and that he should be allowed to join his duties at the age of 24 or 25, and not earlier.

43308. You do not take the view that the general education should end at 19 and that then he should be trained especially for his duties?—I think his general education should end at about 22, and that he should then be especially trained for the examination, and should be allowed to join at 24 or 25.

43309. Let us take it from another point of view. How would it affect the opportunities of the Indian candidate if the age was fixed at 19?—It would send him up more immature. The youths will work harder, and ruin themselves perhaps in the attempt. They may succeed in the competition but they will be wrecks in the future as far as health is concerned. I do not think it would give us as accomplished and broad-minded men as we would get if the minimum age was about 22.

43310. Supposing you had competition at 19 and then, say, three years at the University afterwards?—That would be putting the cart before the horse. I think that their preliminary qualification and a general liberal education should be insisted upon; and that the general examination should come in later.

43311. But it is rather a question of where the cart ends and where the horse begins, is it not? It is not a question of putting one before the other, but of drawing a line between the two. Would you agree with the argument which has been brought before us by some previous witnesses that if the age is fixed at 19 it will mean that far fewer Indian competitors will be able to go up?—I agree with that.

43312. Because their educational qualifications are not good enough compared with those of English youths of 19?—Yes.

43313. Would you therefore say that Indian youths at 19 have less chance against English youths at 19 than Indian youths of 22 have against English youths of 22?—I do.

43314. Although it is said that the Indian youth matures far more rapidly than the English youth?—I think that is wrong.

43315. (*Mr. Fisher.*) You propose that your

student should take his degree and afterwards a two years' course prior to his special examination?—If he can prepare himself in one year I have no objection to his sitting for it. I do not insist upon the two years' course. I would let him sit any time after he is 22.

43316. At the same time your course is a special course especially adapted to Indian conditions?—It is adapted to the conditions required of those who are to join the Indian Civil Service, Europeans or Indians.

43317. It is devised to fit the man for his work out in India?—Yes.

43318. I suppose a large part of the examination would be in Indian vernaculars, would it not?—No. That I have left to be picked up when the man has finally passed his examination.

43319. Would it be mainly legal?—Largely legal in the case of members of the Judicial branch, and fairly legal in the case of the members of the Executive service. They ought to know something of Law.

43320. (*Mr. Madge.*) You have given us some very strong opinions of authorities in favour of the competitive examination as it exists at present. As you find this competitive examination is very unsatisfactory you practically go against all these authorities you have quoted?—I beg your pardon. May I invite your attention to the words I have used? I say that the present system of recruitment for the Indian Civil Service is very unsatisfactory. I say that I accept the principle of the competition, but I say that the present system is unsatisfactory.

43321. You say, "In my opinion the working of the present system of recruitment for the Indian Civil Service by an open competitive examination in England is very unsatisfactory." My next question will refer to your own recommendation, and the quotations you give are all strongly in favour of the competitive system?—So am I. I have said that I accept the principle of open competition.

43322. You say "the working of the pretent system of recruitment for the Indian Civil Service by an open competitive examination in England is very unsatisfactory." And then you say, "I accept the system of an open competition for that Service as practically the most satisfactory that could be adopted?"—I say I accept the principle of open competition for the Indian Civil Service as the most satisfactory that could be adopted.

43323. I do not find the word "principle" there?—It is in answer to the first question and in the second sentence in my reply. I say, "I accept the principle of an open competition for that Service as practically the most satisfactory that could be adopted," and then I quote those authorities in support of those views as my reasons.

43324. It seems to me that you find these authorities are all in favour of the competitive system as at present carried out?—I beg your pardon. They are not in favour of the competitive system as it is at present carried out. They are in favour of the principle of the competitive system.

43325. Then we must differ in our interpretation. Coming now to simultaneous examinations, I suppose you propose them with the object of securing Indian candidates for the Civil Service?—A fair number of them.

43326. Then as declarations are usually made of the number of vacancies for which competition is desired, it is quite possible that candidates in England might obtain the number of marks above those which candidates here would obtain in the simultaneous examination. Do you purpose tabulating the whole of this in one list and giving posts to those who pass at the top, or would you fulfil the terms of the declaration about procuring Indian students in India? I understand that the simultaneous examination in India is for the purpose of securing Indian candidates for certain vacancies in India; is that so?—The simultaneous examination in India is to enable Indian youths to compete on equal terms with their English fellow subjects for the Civil Service, whatever the result may be: whether five get in or twenty.

43327. The point of my question is whether the examinations in India are to be confined to Indian students or not?—No. Every subject of His Majesty will be free to compete.

43328. Amongst the proposed candidates, supposing you have ten vacancies and 20 Indian students pass; would you take the first 10 for the vacancies in India?—No. The vacancies for the Civil Service for the year will be known. Supposing there are 40 vacancies, the candidates will be classified in one list, and 40 will be picked out from the best whether they passed in England or in India.

43329. (*Mr. Chaubal.*) Is your recommendation about the cutting down of the salaries of the Civil Servants above Rs. 2,250 made after ascertaining whether they make very large savings from those salaries?—I have not gone into that question. I have taken the abstract figure and formed an opinion as to what should be done with regard to the higher salaries.

43330. Certain officers are paid salaries above Rs. 2,250. I want to know whether you recommend the wholesale reduction of 25 or 50 per cent. and whether you have made that recommendation after ascertaining that the present salaries enable the holders of those salaries to make very large incomes and make much savings: is it after knowing that that you make the recommendation, or is it simply your idea of what they ought to spend and what they ought to save?—I do not consider what a man may save or may not save as the determining factor as far as salaries are concerned.

43331. I understand you propose that if simultaneous examinations were started in India as far as your personal opinion is concerned you do not consider it necessary that the successful candidate should go to England?—I say it should not be insisted upon. Candidates should be left free to go or not as they may like.

43332. Is that the opinion of Indians generally?—There is a large body of Indian opinion in favour of a two years' study in England after the competitive examination. It would be an advantage to a young man to go to an advanced country like England, but it would not be necessary to qualify him for his duties here.

43333. If it is an advantage to go to an advanced country like England, why do you say

it should not be done?—The advantage may be purchased at too high a price.

43334. What is the price you are thinking of?—You send a young man to England and you have to keep him for two years. He goes to a foreign country where he may not be placed in very favourable circumstances and conditions, and instead of benefiting thereby he may be injured. If it was necessary I should insist upon it; but I do not consider that it is necessary in order to qualify him for the discharge of his duties here.

43335. You say it would be an advantage. Why do you not desire that the advantage should be obtained by all those who pass the simultaneous examination?—I do not say that it is necessary. The advantage may be had by anybody who may like it later on. The advantage is not necessary before a man joins the Service.

43336. Have you any feeling in your mind that the prejudices of certain castes against going to England should be respected?—I have not taken that at all into consideration in expressing the opinion I have done. What I have taken into consideration is that the education in this country should be sufficient to qualify a man for the highest service in the country.

43337. You would not compel the Brahman student brought up in the old orthodox way to go to England?—If he wants to join the Service and if that is one of the conditions laid down, he must. I have not had the idea of the caste difficulties at all in my mind in what I have said in this connection. I would not compel a Brahman, as I would not compel a European, to go to Europe for his period of probation.

43338. (*Sir Murray Hammick.*) What statistics did you give as regards the number of Civilians in this province who have had a University career? Since what year have you got the statistics?—I have looked up one of the recent Civil Lists.

43339. What is your information?—That out of 244 members of the Civil Service 145 are graduates in these provinces.

43340. Have you taken the statistics for the years from 1906?—Yes, I have taken them also.

43341. How many was it in 1906?—I have taken the members of 12 years' standing. Out of 164, 124 are graduates, and 40 are not graduates.

43342. Are you quite sure that those you think are not graduates have not passed through a University career?—I cannot say.

43343. You cannot speak as regards 1906, 1907, 1908, 1909, 1910, 1911, 1912. Would it surprise you to know from information I have, that for the last seven years there is not a single Civilian in this province who has not taken a degree of some sort?—I have taken my information from the official Civil List in this province.

43344 (*Mr. Tudball.*) Why do you wish to pay an Indian, who does the same work as a European and occupies the same position, a smaller salary by 25 per cent.?—Because the Indian lives in his own country. The European comes from a distant country, and he has to make remittances to England for the education of his children, and probably for keeping his family there. I think in the case of a European who has got his family in England it is reasonable to allow him 25 per cent. more than to the Indian. That is generally speaking.

43345. Would that not be taken as a very natural grievance by Indian members of the Service?—Probably. What I have said is what I conceive to be in the public interest. I do not look at it from the point of view of those who may be personally affected by it.

43346. Do you think the class of persons who occupy these posts in Indian society will look at it from your point of view?—In the course of time they will, because I think my proposal is reasonable. At the beginning they may not like it.

43347. Is it not a fact that in this province in the past the Judicial branch of the Civil Service has been very badly treated in more than one way?—That is my general impression.

43348. Is it not a fact that many men who have been considered failures have been simply pitch forked into the Judicial service?—Yes, that is my complaint.

43349. It is a well-known fact?—Yes.

43350. Do you think it is fair to the Judicial branch of the Service?—It is not fair at all.

43351. Nor to the public?—Nor to the public, nor to the Government.

43352. Is not that the reason why so many strictures have been passed upon the Judicial branch of the Service?—That is so.

43353. Have there not been some very good exceptions?—There have been some excellent exceptions, for instance, Sir Robert Aikman. There are many others I might mention, both High Court Judges and District Judges, who have done excellent work.

43354. I understand from your answers that you would have an entirely separate service for the Judicial?—Yes.

43355. Completely separate?—Yes, and I would place it under the High Court.

43356. If a European came out to this country and was put straight into the Judicial service, do you think he would pick up the knowledge of the country, and the people, and their ways, and their ideas, and be able to understand and appreciate them and sympathize with them as quickly as a man in the Executive would do who mixes with them?—I think it depends very much upon the individual officer. I think, given an average temperament and a desire to know things and to know something of the people, that a Judge would be quite as able (if not better able) to pick up these qualities and qualifications as an executive officer.

43357. Would he have the same opportunities?—As a Judge he would have ample opportunities of understanding the witnesses and the litigants and the pleaders who came before him in a court.

43358. Where one sees the worse side of human nature?—And also the better side.

43359. I cannot agree with that. I am afraid one sees the worse side of human nature too often in the courts?—You find there are two sides. You find truth and untruth, they both come up before the courts.

43360. (*Mr. Kanhaiya Lal.*) Do you consider it likely that the differentiation of salaries would lower the Indian officer in the public

estimation?—In the case of the highest appointments, for instance the High Court Judgeships and Memberships of the Executive Council, it may have that effect; but in other cases when once it is understood that the unit of pay is as I have suggested fixed at 25 per cent. lower, and an allowance is given to the European officers, because they are non-Indians, I think in the course of a short time the feeling will cease to exist.

43361. With respect to the highest appointments such as Judgeships of the High Court, or Commissionerships, or Memberships of the Board of Revenue, or Memberships of the Executive Council, you will make no difference?—There are only two places where I should be unwilling to make a difference, namely the High Court Judgeships and Memberships of the Executive Council.

43362. Not Commissionerships?—Not Commissionerships.

43363. You do not think it would lower the officers in public estimation?—I do not think so.

43364. Do you realize the fact that according to the social conditions prevailing in this country an Indian has not only to support his own family but his relations and dependants?—I do not think it really matters if he has to support a larger number of persons. If he chooses to spend his money in certain directions he is free to do so; the State Exchequer cannot be required to pay him a larger salary in order to enable him to do so.

43365. Is it not a question of compulsion according to social regulations and customs?—I think it would be more a matter of choice. It is both a matter of choice and of social conditions. But even taking into consideration all that the average educated Indian has to do in this direction the salary I have suggested is ample to meet his requirements.

43366. I suppose you would give a higher salary to the European officer because he comes from a distant country?—Yes, it is a disadvantage.

43367. It would not be in consideration of his expenses?—His coming out to and living in India means a much larger expense than Indians have to incur.

43368. Do you give him a higher salary to attract him to this country?—To compensate him and to make it worth his while to come.

43369. While, on the one hand, you are recommending a reduction in their salaries, on the other hand you are granting still lower salaries to Indians. Would that tend to attract the right sort of men?—Yes, for the reasons I have given.

43370. What is the initial salary you would give to the officers of the Provincial Service in order to attract the right class of men?—I would not give them less than Rs. 250.

43371. Probationary Munsifs are getting only Rs. 175?—I would give every one of them Rs. 200.

43372. And as soon as they are confirmed you would give them Rs. 250?—Yes.

43373. Would you make any distinction in the salaries of the Members of the Board of Revenue?—Yes.

43374. Would you give the Indian Members of the Board of Revenue a lower salary?—Yes.

43375. (*Mr. Fasih-ud-din.*) Do you think that the standard of education in England is superior to that in India?—Generally speaking it is, but it does not mean that Indians who are educated in India cannot attain the same educational qualifications which some of the Englishmen do.

43376. Has a man the same facilities for attaining the high standard of education in India as he has in England?—It depends upon the college he is in, and what professor he is put under, and upon his natural aptitude also.

43377. Do you believe in a system of residential schools and colleges?—Yes, I do.

43378. Do you think that this system is most highly developed in England?—It is very well developed, and that is why we are trying to develop it and introduce it into this country.

43379. Have we succeeded in imitating it?—A number of colleges in India have hostels attached to them now. The Government is supporting this system very largely and liberally, and I expect that in a few years' time there will be no college worthy the name which will not have a system of hostels.

43380. Do you believe more in a residential system for schools or for colleges; or do you think both of them are equally good? Does a school residential system have more effect upon the character of students than a residential system in a University?—In the absence of a suitable home-life a school residential system is good; but where there are parents to look after the children, I would not send a boy to live in a hostel at a school at an early age. I would send every young man to the College hostel.

43381. Under the present system, a graduate after taking his B.A. degree has to attend Law lectures for two years; is not that it?—Yes.

43382. Then he takes his LL.B. degree?—Yes.

43383. After that he has to practise three years before he can get to be an officiating Munsif?—Yes.

43384. While a graduate can at once, if he wants to enter the Executive line, get a Deputy Collectorship?—Yes.

43385. That gives him a better start in life?—Yes.

43386. Does not that result in a deterioration of the Judicial branch as compared with the Executive branch?—It results in an injury to the Executive branch but it results in a gain to the Judicial branch.

43387. Is it not your opinion that the better class of people do not agree to wait for another five or six years before they can get permanent Munsifships and that they would rather be attracted to the Executive line?—The LL.B. degree should be insisted upon in the case of the Executive branch also as it is insisted upon in the Judicial branch.

43388. Does it not result in this state of things, that a graduate who is a man of very superior calibre will not wait for his LL.B. degree and then stand a chance of getting an officiating Munsifship after a period of three years but he would rather like to go to the Executive branch and thus make an earlier start in life?—He would like to; but it is only a few of such candidates who can get into the Executive line.

43389. I believe they do. I think a dozen are appointed every year?—Yes, half a dozen are appointed every year.

43390. What remedy would you suggest?—I

would require them to have a better knowledge of Law. They must pass their LL.B. That would be the best solution.

43391. Unless you make the initial pay more attractive can you hope to recruit good men?—I think Rs. 250 a month is sufficiently good pay to attract them.

(Adjourned till to-morrow at 10·30 A.M.)

Note.—The witness subsequently asked that the following letter might be added to his evidence :—

43392. "If there is any real misapprehension that my proposal that the monthly salaries of members of the Indian Civil Service above Rs. 2,250 should be reduced by 25 per cent. of the amount above that sum will take away a great inducement from members of the Service to serve, as now, for the full period, or that by reason of the proposed curtailment the class of English youth who will compete for the Indian Civil Service will be inferior to those who compete for it at present, I would not press for the curtailment I have suggested.

"My second proposal, that the salaries of Indian members of the Indian Civil Service should be fixed at 25 per cent. less than the salaries of non-Indian members, should be taken as going together with my recommendation that an examination for that Service should be held in India simultaneously with the one in England. So long as the only door of admission into the Service should remainas heretofore in England I would not make any difference in the salaries of the Indian and European members thereof.

"The main change that I plead for is that an examination should be held in India simultaneously with the one in England for admission into the Indian Civil Service in order that Indian youths should have as fair an opportunity as British youths enjoy to compete for admission into that Service, and thereby to occupy so many posts in the Service as they may be able to win in a fair and open competition with their equal fellow subjects of the United Kingdom. I consider it extremely improbable that this number will ever exceed half the total number of posts in the Service."

Tuesday, 1st April 1913.

FORTY-THIRD DAY.

PRESENT :

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
ABDUR RAHIM, ESQ.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
HERBERT ALBERT LAURENS FISHER, ESQ.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners :—

WILLIAM TUDBALL, ESQ., I.C.S., Judge of the High Court of the North-Western Provinces.
RAI BAHADUR PANDIT KANHAIYA LAL, M.A., LL.B., Second Additional Judicial Commissioner, Oudh.
KHAN BAHADUR MAULVI MUHAMMAD FASIH-UD-DIN, Deputy Collector, Kashipur, Naini Tal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. (*Joint Secretary*).

RAI BAHADUR DR. SUNDAR LAL, B.A., LL.B., C.I.E., Advocate, High Court, North-Western Provinces.

Written answers relating to the Indian Civil Service.

43393. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I think the present system of recruitment by open competitive examination in England for the Indian Civil Service has on the whole, so far as I have been able to observe, worked satisfactorily. There are of course points (with which I shall deal in replying to other questions) in which I believe it is open to improvement, but I accept it as correct in principle. At any rate, I have no better substitute to suggest.

In my opinion, the system is equally suitable for the admission of Natives of India and of other natural-born subjects of His Majesty.

43394. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—It is equally suitable to all. I recommend no alterations

except such as are involved in the answers to the subsequent questions.

43395. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that fort he Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is not to the advantage of Indian interests. It is true that this combination results in bringing together into one common list candidates for all or either of these branches of the Civil Services and enables the Commissioners to select the best men available out of all the candidates who offer themselves for examination. Many of the best men still prefer to join the Home Services. Those attracted by the Indian Civil Services mostly come from families which have had long Indian connections or associations. I do not believe that we have by this combination succeeded in inducing a larger percentage of the more qualified candidates to select the Indian Civil Service. The great disadvantage of the present system lies in its being not practicable to better fit in the tests and courses of study to our own special requirements for work in India.

43396. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I think the inauguration of a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty, is an essential part, and a necessary logical sequence, of the liberal policy which was given legislative sanction in the enactment of the Statute of 1833 (3 & 4 William IV, 87). It is the only manner in which the many sanguine hopes and good wishes then given expression to by eminent British statesmen who took part in the enactment of this legislation, could be realized, and full justice done to the claims and aspirations of His Majesty's Indian subjects. Section 87 of that Statute declared:—"That no Native of the said territories nor any natural-born subject of His Majesty resident therein, shall by reason only of his religion, place of birth, or descent, or any of them be disabled from holding any place or office or employment under the said Company." The spirit in which this noble measure of legislation was conceived may be gathered from the memorable words which the Marquis of Lansdowne uttered, and which are typical of what many other statesmen said on that occasion. He is reported to have said:—

"It was a part of the new system which he had to propose to their Lordships that to every office in India, every Native, of whatsoever caste, sect or religion, should by law be equally admissible, and he hoped that the Government would seriously endeavour to give the fullest effect to this arrangement, which would be as beneficial to the people themselves as it would be advantageous to the economical reforms which were now in progress in different parts of India." (Hansard, volume 29, third series, page 169.)

In the despatch from the Board of Directors, East India Company, to the Government of India (No. 44, dated the 10th December 1834), which accompanied this Act, it was with reference to this provision observed:—

"But the meaning of the enactment we take to be that there shall be no governing caste in British India, that whatever other tests of qualification may be adopted, distinctions of race or religion shall not be of the number, that no subject of the King, whether of Indian, British or mixed descent, shall be excluded either from the posts usually conferred on our uncovenanted servants in India or from the covenanted service itself, provided he be otherwise eligible, consistently with the rules, and agreeably to the conditions observed and exacted in one case and in the other."

In another paragraph it was pointed out:—"Fitness is henceforth to be the criterion of eligibility."

This policy has always been adhered to ever since. It found expression in the gracious Proclamation of 1858 of Her Majesty the late Queen Victoria, and in other State documents. It has, we have gratefully to acknowledge, been very largely given effect to not only in making appointments in the subordinate branches of the public services, but also in the case of the many highest appointments now filled by Natives of India in many parts of India.

On a recent occasion His Majesty's Secretary of State for India (Lord Crewe) in declaring the three objects of British policy stated as follows:—

"The first object." * * * *

"The second object of the British rule in India should be, and is, to employ as many Indians in the public service as can reasonably be employed. And the third object is to combine the pursuit of these two with the maintenance and permanence of British rule in India, &c."

This being the policy which has to be pursued the only points requiring consideration are—

(1) Whether the restriction of the place of examination to England does or does not practically operate to bar and exclude an overwhelming majority of His Majesty's Indian subjects from competing for the said examination?

(2) Whether this restriction is essential and necessary from any point of view and must therefore be adhered to? The main object in view in holding the Indian Civil Service examination in London is no doubt to obtain the best educated youths available from the British Isles for service in India. The Service, situated as we are, mus continue to be recruited largely from England. It must however be conceded, as it has always been, that facilities ought to be given for the employment of as large a number of Indians in the public service as may be consistent with the efficiency of the Services, and the maintenance and permanence of the British rule in India. Giving due regard to these considerations, I think there is yet a great deal of room for the employment of a larger number of Indians. The difficulties and the risks involved in sending inexperienced and immature youths to a place like London to study for the Indian Civil Service are considerable. Apart from the question of cost, and the risks involved, the examination

itself is a very difficult one, which a few only of the many who have gone from this country have been able to pass. Religious, social, and caste considerations preclude, nay practically exclude, the great bulk of the Hindu subjects of His Majesty from sending their young men across the seas. By holding the same examination simultaneously in India also, the Government will be removing what has proved to be an insuperable bar in the case of the majority of Hindus. If Indians are to be admitted at all to the higher appointments in the public service, the door should be open equally to every class of Indians, whatever their religious views, usages, and customs may be. It is the only manner in which full and equal justice can be done to the claims and aspirations of all classes of His Majesty's Indian subjects.

Two grounds have been suggested against holding the examination simultaneously in England and in India. The first is that the Indians (who for the purposes of this argument are credited with a special faculty of passing examinations) will swamp the Service. The percentage of successful candidates who pass our University examinations in India is proverbially low, and the fact that so few of our Indian candidates who have gone up for the competitive examination in England, have succeeded in obtaining a place in the list of selected candidates, also, does not support the theory of their possessing this special faculty. The apprehensions of those who oppose the holding of the examination simultaneously in India on this ground are, in my opinion, more nervous than real. It must be remembered that the Indian candidates have to compete with the best youths of England in an examination conducted in a language which in the case of those whose mother-tongue it is not, takes years of study to acquire up to the required standard. With this serious handicap the number of successful candidates examined in India cannot be large. At any rate all apprehensions on this score can be set at rest by fixing the proportion of candidates to be selected by examination in India. The proportion should be fixed with due regard to the claims of all the major provinces of India. While willing to accept the principle of fixing a proportion of the appointments for candidates examined in India, I would still insist upon the examination in England being open to all Indians as at present, without the imposition of any limit or restriction, and upon the same terms as it is open now to all European candidates. The second ground is that the sojourn of the candidates in England while they are preparing for the examination will be of considerable benefit to them in giving them an insight into English life. It will provide them with a good training for their work in India. While fully alive to the benefits of travel in foreign lands, in the case of men of mature age and experience, and while fully recognizing the value of a regular course of diligent study under proper supervision and guidance in English Universities, I am not prepared to take the same view of institutions for coaching students for passing competitive examinations. I venture to think that the Indian Universities and colleges, with the great improvements they are now making, will be able to give as good a training and education as an average Indian student is able to get in an English University.

43397. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am strongly in favour of keeping the examination in England as open to all Indian candidates as it is now, without any restriction or limitation. The present system of examination in England recognizes the absolute equality, both in theory and practice, of all candidates, whether from Great Britain or India, and is the one institution in which full effect is given to the spirit and letter of section 87 of the statute of 1833. I would be extremely sorry to be deprived of it now. I have already expressed my views on the other part of this question in my answer to the preceding question. I do not recommend a separate or a provincial examination being held. I prefer one common examination at both places, with common papers set at each place and a common list.

43398. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of nomination or combined nomination and competition. In the selections for the highest appointments in public service, ability alone, and not communal representation, should be the main basis of selection.

43399. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes, I have already given the reasons for this answer.

43400. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I would not, and do not, recommend any substitute for the existing system of competitive examination, nor for the present system of promoting to listed posts officers of the Provincial Civil Service.

43401. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I think that the Judicial branch of the Civil Service should be recruited on the same lines on which the Judges of Indian High Courts

constituted under the Letters Patent from the Crown, are selected. One-third of the appointments should go to the members of the present Indian Civil Service, one-third to members of the Indian Bar (in which term I include advocates, barristers, and vakils of Indian High Courts) of not less than ten years' standing, and one-third by promotion from the Provincial Civil Service. The proportion need not be fixed by a hard and fast statutory rule, as in the case of the Indian High Courts established by Letters Patent, but that should be the proportion of the Judges recruited from each of these classes as far as possible. The rule of proportion need not be fully introduced at once, but may be gradually given effect to, by filling every second vacancy that occurs, from the Bar, and every third vacancy from the Provincial Civil Service.

Officiating and acting appointments should not be counted for the purposes of this rule of proportion. Suggestions have been made to improve the legal acquirements of the members of the Civil Service and to give them a better training in Law. In selecting Judges from the Bar, one has only to pick and choose from already existing and ready-made materials. There is no need of training new men, when we have already got trained lawyers in abundance.

43402. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I think the existing definition of the term "Natives of India" (as contained in 86 of 33 Vict., c. 3) is satisfactory and requires no alteration.

43403. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I do not propose any alteration in the existing age-limits.

43404. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—I think that the junior Civilians should be introduced to their work as soon after their period of probation as possible. The sooner they come into contact with it the better, but Judicial work should in no case be entrusted to them until the completion of 25 years of age.

43405. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—I think the age-limits should be the same for all classes of candidates.

43406. (16) What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would make the study of English Law (including jurisprudence) compulsory, and would assign the same number of marks to it as to Latin or Greek. Their knowledge of Law is likely to prove more useful to them in India and would be a good basis for higher studies in Law.

43407. (17) Is any differentiation in the subjets for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I think it is not desirable.

43408. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—Certain appointments are already reserved by statute for officers recruited to the Indian Civil Service. I accept the principle of so reserving by statute some of the highest appointments (*e.g.* the post of the Lieutenant-Governor or a certain proportion of High Court Judgeships, &c., &c.). The formality of reserving by statute should be resorted to only in very special cases. All other appointments may be dealt with by administrative orders.

43409. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of of India might under present conditions properly be admitted?—It is extremely difficult to fix a permanent and invariable minimum proportion for all time to come. In the Judicial branch of the Service, the European and the Indian element might fill almost an equal number of posts. In other branches of the Service the proportion will depend much upon the number of qualified officers of each class available for the time being.

43410. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangements in India?—I prefer the recruitment to the Indian Civil Service by simultaneous examinations in England and India, and also the system of appointing to listed appointments by promotion from the Provincial Civil Services as now in force, and subject to the modifications suggested hereafter.

43411. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I do not recommend the revival of the old system of Statutory Civilians. It was found to be unsatisfactory and unsuitable and it did not satisfy anyone. Nor will it satisfy anyone now.

43412. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advis its re-introduction or introduction, as the case may be, and if the system should be introduced or

re-introduced, to what extent, in your opinion, should it be adopted?—So far as the province of Agra is concerned, the system of recruiting military officers for posts in the Indian Civil Service has never existed, at any rate, within historical times, except in the non-regulation tracts of that province. It did at one time prevail in Oudh, and in the Kumaun division, but was stopped long ago. There is now not a single officer recruited from the military service. I do not recommend its introduction in any part of our provinces.

43413. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I think the system is a good one, but the number of listed appointments to which members of the Provincial Service may be appointed should be largely increased.

43414. (24) Are you satisfied with the present rule which prescribes that Natives of India other than members of the Provincial Civil Service or Statutory Civilians may be appointed to one-quarter of the listed posts?—Yes.

43415. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

43416. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—I think the list of such appointments should be enlarged. In the first place, the appointments proposed by the Public Service Commission of 1886 to be included in the said list should now be so included. I would suggest the following appointments being also included:—

(i) a membership of the Board of Revenue;
(ii) one of the Commissionerships;
(iii) one of the Secretaryships in the Local Government;
(iv) one of the Secretaryships of the Board of Revenue;
(v) the offices of Inspector-General of Registration, Director of Land Records and Agriculture, Registrarship of co-operative banks and joint stock companies;
(vi) at least four of the appointments of Magistrates of the district.

43417. (28) Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.—I think that the Judicial and Executive functions should not be combined in the same persons. Judicial officers should not have any Executive duties to discharge.

43418. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—I think that the candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service.

43419. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—I think the period should be one or two years. The present period of probation is one year, which may be spent at one of the English Universities, if the candidate so chooses. For about a year after joining the Service in India the junior members of the Civil Service are not ordinarily able to take up the duties of their office. They are generally deputed to watch and follow the work done by some senior member of the Service and to pick up such essential preliminary knowledge and experience as is requisite to enable them to perform the ordinary duties of an Assistant Magistrate. I think under the circumstances it will be much more advantageous if the period of probation is extended to two years. During this period the probationer should be required to study (i) Indian History; (ii) Indian Criminal Law and Procedure; (iii) the Law of Evidence; (iv) the law relating to land tenures of the province in which he may be posted; (v) the Law of Civil Procedure, Stamp, Registration, Court Fees and Limitation; (vi) Hindu and Muhammadan Laws and other branches of Civil Law, such as the law relating to Contracts, Torts, &c.; (vii) an Indian vernacular of the province to which he is posted. The course should be a full and practical one.

I have made suggestions for the further training of those who elect the Judicial service, in my answers to subsequent questions.

43420. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I think the same course may be prescribed for both, except that in the case of Natives of India the study of a vernacular language other than the mother-tongue of the candidate concerned should be required.

43421. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Arrangements should be made for a thorough study of the course both in England and in India. I would however prefer the period of probation being passed in India, except for those who prefer to pass one year of their course of probation at the English Universities, in which case the first year may be passed in England.

43422. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—I think the establishment of such a college at some place in India is very desirable. Indian subjects can be best studied on the spot, and the study of a vernacular language at a place other than the one where it is spoken is always attended with considerable difficulty. A college for the said purpose, such as the one which existed in Fort William in olden days, would, I think, prove a very useful institution.

43423. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the

first two years of service at some suitable centre?—I think that a part of the period of probation of two years recommended by me might be spent by deputing the probationers to such centres as each Local Government might select. I would prefer a college like this being established at a place like Simla where the probationers could work during the summer and autumn months in studying the courses prescribed. In winter, they might be required to spend a portion of their time in the plains. I think that this might be done in the second year of their probation. If further training is desirable, the arrangement suggested might be made, but I think that a two years' probationary course in India will be found sufficient.

43424. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I think that the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India is not quite satisfactory. In my answers to the preceding questions I have suggested a two years' course of probation and, in my opinion, unless the junior members of the Civil Service are brought together and placed under the guidance and instruction of experienced and qualified persons, much of their time will be wasted. Something on the lines already suggested by me might be attempted with advantage.

43425. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—The present members of the Indian Civil Service, so far as I have been able to observe in our provinces, taken as a body, possess a more or less sufficient working knowledge of the Indian vernacular (indeed many of them acquire a good literary proficiency in it). I think the standard of knowledge acquired has however deteriorated in recent times. This is due to several causes. The pressure of work on the members of the Service leaves them less time to spare for the study of the vernaculars or the Indian classics. Outside their routine of official work they live much more in the society of their own countrymen and mix less in Indian society. They have less opportunities of conversing with Indian gentlemen in the vernacular, as a very large number of Indian gentlemen are able to speak English. Most of them after some time are able to understand or grasp what an Indian witness is deposing to in vernacular. It is a rare thing to find one who is able to read the deposition as recorded, or to read easily the petitions and documents in vernacular presented every day, and much less to write in vernacular. I think that the only effective way of ensuring a better knowledge of the vernaculars is to insist upon such knowledge being acquired before promotion beyond a certain stage is given.

43426. (37) Please give your views as to what steps (if any), are necessary to improve the proficiency in the knowledge of Law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch.—I have already suggested that English Law should be made a compulsory subject for the competitive examination and that it should carry the same number of marks as are assigned to Latin or Greek. This is the first step in this direction which I have recommended. In the period of probation, I have suggested a more thorough study of the Indian laws. The members of the Civil Service are required to pass a departmental examination in several subjects within a year or two of their joining the Service. I think the study of Law and legal principles should be given greater prominence in this examination. I think this would be quite sufficient training in Law for officers other than those selected for the Judicial branch.

As for the Judicial branch, officers selected for it should be required to pass an examination of a standard not lower than that prescribed by Indian Universities for the degree of Bachelor of Laws. A real and good knowledge of Law can only be acquired by study in after-life. A good Lawyer acquires his knowledge of Law not only by the study of books but also by constantly applying his knowledge in practice. His work and preparation is subjected to criticism by the Counsel for the opposite party and by the Judges who hear and dispose of the case. He has at one time to search and present arguments to support one point of view, and he has again in another case to take up the same point to support the opposite view. It is this constant exercise of constructive and critical faculties which enables him to look at arguments in support of both sides on any point and to balance them in arriving at the correct conclusion. This also enables him to acquire facility in applying the principles of Law to the varying phases of facts which arise in actual practice. This, in my opinion, is best done by practice as a Lawyer; but as this is impossible in the case of Civil Servants, I would suggest the following measures as the next best suitable:—

(*a*) After passing the examination in Law, junior officers should be required to sit with some senior Judicial officers to watch the trial and hearing of civil cases. They might attend the sittings of the High Courts for the same purpose.

(*b*) The junior officer should then be invested with the powers of a Munsif. He should be required to dispose of all kinds of cases such as a Munsif has to hear, including execution cases.

(*c*) After he has gained some experience in this work he should be invested with the powers of a Subordinate Judge.

(*d*) No one should be appointed District Judge until after three years' work as a Subordinate Judge, and further promotion should depend on the recommendation of the High Court. The Judicial service should be placed entirely under the High Court. The higher knowledge of Law and of its application in practice is acquired only by self-study and observation in after-life.

Neither a call to the Bar nor examinations and tests ensure it. It is more a question of aptitude and exercise of will-power to acquire the knowledge. A knowledge of the fact that further promotion will depend upon the officers possessing a good knowledge of Law is the best means of ensuring its acquisition. I do not recommend the officers being required to be called to the Bar or being called upon to pass any other legal examination or tests, as the test of actual work done in life is the best possible test after all.

43427. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—I think no differentiation in the system of training is necessary.

43428. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited—I have not recommended any scheme of direct recruitment, except recruitment from the Bar, for Judicial appointments. They should be appointed in consultation with the High Court by the selection of the best men available.

Promotion to listed appointments should be made by selection as it is now done.

43429. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.—I think the same probation and training is required for members of the Indian Civil Service of the classes referred to.

43430. (45) Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The rate of exchange is now practically fixed. A sovereign is equal to Rs. 15. It is not subject to the variations and fluctuations to which it was once subject. I think the scale of salaries should now be so fixed as to include all allowances payable for exchange.

43431. (46) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—They should draw the same scale of pay as other officers of the Civil Service.

43432. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I think that the rate of two-thirds of pay now fixed for members of the Provincial Civil Service who hold listed appointments is unsuitable. They are expected to maintain the same standard and style of living as members of the Indian Civil Service holding corresponding offices. The cost of living has risen very much, and a member of the Provincial Service holding one of the listed appointments has to spend as much as a member of the Indian Civil Service. I think for listed appointments in the lower grades of Service the time has now arrived for giving them salaries on the same scale. In the higher grades the scale might be fixed at three-fourths. In the High Courts there should be a common scale of salaries as at present.

43433. (49) Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I think that members of the Provincial Civil Service holding listed appointments should be governed by the same leave rules as members of the Indian Civil Service.

43434. (50) Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.—I think members of the Service holding Judicial appointments should be able to take any leave to which they may be otherwise entitled, in continuation of the court vacation, as in the case of the High Court Judges. This will make the Service on the Judicial side more popular and attractive. Officers in charge of Executive appointments have their cold weather tours. They thus enjoy an annual change. Those holding Judicial appointments have more of desk work, and would be very grateful for any small privileges which may be extended to them.

Written answers relating to the Provincial Civil Service.

43435. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have carefully considered the resolution referred to in the question. I think the general conditions which should govern recruitment to the Provincial Civil Service as laid down in the said resolution are sound and perfectly fair. There is however one rule which, as worded, admits of considerable elasticity of interpretation, and much freedom in practical application. The rule perhaps is designedly so worded. I refer to condition I, which lays down that the rules must be adopted, "on the one hand to obtain thoroughly efficient candidates, and on the other to secure due representation in the public service of the different classes of the community."

I am fully alive to the necessity, desirability, and justice of securing the due representation in the public service of all communities in India. Questions sometimes may arise as to what is to be considered as "*due representation*" in the case

of any class or community and as to how far the principle of due representation should control the principle of securing thoroughly efficient and the most efficient candidates. In my opinion the principle of securing the most efficient persons for public service, should control the principle of due representation. The unequal dissemination of higher education among the various classes no doubt is for the present likely to bring about larger representation of the more advanced classes. With the rapid advance of education among all classes in India, the disparity is likely to disappear very soon. I would word this condition slightly differently. I would for the words "*on the one hand*" in the first line of this condition substitute "*in the first place*" and in the second line of the same condition for the words "on the other" substitute the words "in the second place" thus giving their due importance to each of the two parts of this condition.

43436. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—So far as the rules for the recruitment of the Judicial branch of the Provincial Civil Service are concerned, I have no suggestion to make. Within the last decade or two, this branch of the Service has risen considerably in efficiency and the standard of work done is high, and we obtain the best men available for the pay and prospects offered.

The rules for the recruitment of the Executive side of the Provincial Service are, I fear, not equally satisfactory. The rules now in force are to be found in G. O. No. 344—II/67, dated the 28th January 1909, as amended by G. O. No. 5816—II/67, dated the 6th December 1910. The selection to the office of Deputy Collector is :—(i) to the extent of a moiety by promotion from the ranks of tahsildars the remaining moiety by direct appointments made by the Local Government. In any case, the appointments are made mainly by nomination. Under the rules made for the appointments of tahsildars, graduates of the Allahabad University may be nominated probationary tahsildars on a salary of Rs. 75 *per mensem*. In due course after many years of service they rise to the office of tahsildars. The great bulk of the tahsildars are however men without any University or collegiate education. The moiety of Deputy Collectors recruited from the ranks of tahsildars do not belong to this class. As to the remaining moiety, each Commissioner of a division is permitted to recommend one candidate, who should be a graduate of the Allahabad University and must belong to the family of a taluqdar or large landed proprietor, or he must belong to a family which has done good service to the State. The Board of Revenue is permitted to nominate two. Under clause II of the rules the Local Government is empowered to select graduates other than those who come from the families of taluqdars or large landed proprietors, or from families of persons who have rendered good services to the State or Europeans or Eurasians (who are to be graduates of the Allahabad University), or failing such graduates other suitable candidates from European schools. Under the orders of the Government the Vice-Chancellor of the University of Allahabad has the privilege of nominating two of the distinguished graduates of the University every year for such appointments. The rules are intended more to secure the nomination of persons who belong to the families of taluqdars or large landed proprietors or persons who have rendered good services to the State (from whose ranks the bulk of the nominations have to be made) than to secure the services of the best men available. The great bulk of the educated persons from the middle classes who have not the good fortune to belong to such families find it extremely difficult to secure nominations to these appointments (except in the case of two appointments from among distinguished graduates to which the Vice-Chancellor of the University of Allahabad has the privilege of recommending). I need hardly say that this is a cause of considerable dissatisfaction in the very large class against which it operates, and stands in remarkable contrast with rules framed in other provinces on the subject. During the administration of Sir Antony (now Lord) MacDonnell rules for selection by a combined system of nomination and competitive examination were promulgated. The rules gave considerable satisfaction, and while they were in force a number of good men got into the Service. The present rules do not permit of the Provincial Executive Service being recruited largely from the best available class of graduates of the University, and it is to this cause, I think, that it is due that the Provincial Executive Service has not risen as high as the Judicial branch of that Service. To compare it with the Judicial branch for a moment, a glance at the Civil List will show that that branch of Service now consists almost in its entirety of graduates of our Universities. The Executive branch of the Service, according to the Civil List for October 1912, had only 92 graduates out of a total of 222 of the cadre. The list of tahsildars has 76 graduates out of 214. The Judicial branch of the Service was originally given four listed posts of District and Sessions Judges, which number has now risen to eight. Three of the members of that Service now occupy the highest seat on the Judicial Bench (two are Judges of the Allahabad High Court and one is a Judicial Commissioner of Oudh).

The Provincial Executive Service here only got two District Magistrateships (as against four in other provinces), and it has got no more since. The High Court has not found itself able to recommend any member of this branch of Service for appointment as District Judge. I am very strongly of opinion that to improve this branch of public service (and in its hands lies the disposal of a very large number of criminal and rent cases), it should be thrown open, at least for a specified number of posts, to appointment by a system of competitive examination, or if that be found impossible a combined system of nomination and competition. I cannot help feeling that this branch of Service is being starved out of its supply of the best educated men of the country and I am not surprised that it suffers in comparison with the Judicial branch of that Service.

If the more important Indian Civil Service is not open to our educated young men to the extent they wish, there is no reason why the Provincial branch of that Service should not open its doors more freely to them.

In conclusion I would recommend that all candidates for direct appointment to the Executive branch of the Service should be graduates in Law of the Allahabad University, or Vakils on the roll of Vakils of the Allahabad High Court or Pleaders of the Judicial Commissioner's Court at Lucknow. This will ensure a sufficient general knowledge of Law. They might be examined in the departmental examination in subjects other than those in which they have passed their law examinations.

43437. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes. It should be so restricted except in very special cases.

43438. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable and what arrangements do you recommend to secure this object?—In our provinces the principle of securing due representation has always prevailed. What is due to any particular community may be the subject of some difference of opinion, but I certainly agree to this principle so long as the principle of securing the best and the most efficient public servants is not subordinated to it.

43439. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend.—I am satisfied with the existing arrangements on the subject.

43440. (56) Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.—In the United Provinces of Agra and Oudh the cadre of the Executive and Judicial branches of the Service has recently been revised. No changes as to the numbers of officers are needed at present.

43441. (57) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—In the case of the Judicial branch of the Provincial Civil Service, the officers have Judicial powers only, but in the Executive branch of the Service, the Judicial and Executive functions are vested in the same officers. I think a separation of the Judicial and Executive functions is desirable. They should not be vested in the same person.

43442. (58) Are you satisfied with the present designation "the Provincial Civil Service" If not, what would you suggest?—I think the Service might be designated by the name of the province to which it belongs. Thus the Provincial Service in these provinces might be designated "United Provinces Civil Service" as distinguished from the "Indian Civil Service."

43443. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept the principle above referred to as correct and suitable.

43444. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The pay and grading of both the Executive and Judicial branch of the Provincial Civil Service have recently been revised in these provinces. The initial pay of the Judicial branch of the Civil Service is, in my opinion, still very low. The candidates are appointed in the first instance as probationary Munsifs on a salary of Rs. 175 *per mensem*, and on confirmation as Munsifs of the third grade they get Rs. 200 per mensem. This pay, in my opinion, is not sufficient to attract men of superior qualifications. A candidate for a Munsifship must be a graduate in Law or a Vakil of the High Court, and must have practised in his profession for not less than three years. In three years a man of superior ability is generally able to get sufficient practice to think it not worth his while to accept an appointment on Rs. 175 or Rs. 200 *per mensem*. The best men generally prefer to remain at the Bar. The expenses of living have risen considerably in recent times, and Rs. 200 hardly leaves any margin, specially in the towns. I think the salary for the lowest grade of Munsifship should be Rs. 250 *per mensem*, as in the case of Deputy Collectors, or as in Bengal and Bihar and Orissa.

43445. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not. I have already made suggestions on this point, in answer to preceding questions.

43446 (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—I think the Judicial officers should be able to combine any leave to which they are entitled with the vacation; they should also be able to take 15 days' privilege leave on full pay, and over that period on half pay.

43447. (63) Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—The maximum superannuation pension should be fixed at Rs. 6,000 a year.

43448. (64) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain

fully your views, making any suggestions that appear to you to be suitable?—I have answered this question already in answering the preceding questions, and suggested a few changes in the system.

43449. (65) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.—I think that the system of temporary promotions in the case of officiating appointments, which now prevails in the case of the Indian Civil Service, should be extended to the Provincial Civil Service. In the case of appointments in the higher branches of services, recruited by appointment of members of the Bar of not less than ten years' standing, a special scale of pensions should be provided.

DR. SUNDAR LAL, called and examined.

43450. (*Chairman.*) You are an Advocate of the High Court and Vice-Chancellor of the Allahabad University?—I am.

43451. And you have been a member of the Legislative Council of the Lieutenant-Governor of these provinces since 1904?—Yes.

43452. I believe you have been three times Vice-Chancellor of the University of Allahabad?—No, I was Vice-Chancellor once before and now I have been re-appointed for the second time.

43453. You have also served as Second Additional Judicial Commissioner of Oudh and have acted as First Additional Judicial Commissioner?—Yes.

43454. You are on the whole satisfied with the present system of open competition?—Yes.

43455. But you would hold it simultaneously in England and in India?—Certainly.

43456. To enable the Indians to have greater opportunities for admission?—That is so.

43457. But you admit that the Indian Civil Service must continue to be recruited largely from England?—Yes.

43458. And you are prepared to remove any apprehension which may be felt, that too many Indians might find admission to the Service, by fixing the proportion of candidates to be selected by examination in India?—Yes, but leaving the selection of candidates from England as at present.

43459. You lay stress on the examination in England being open to all?—Yes.

43460. You desire to fix the proportion with due regard to the claims of the major provinces of India. Could you explain to us exactly what you mean by that?—What I mean is that each province should be represented as far as possible in proportion to its population. Of course I would throw it open to all.

43461. So that your proposal would entail some form of nomination in each province?—In the final selection after examination one might take into consideration the claims of each province.

43462. In order to get such an examination you would be prepared to concede that the candidates should be nominated subject to a minimum educational qualification?—Certainly.

43463. As regards nomination, what kind of authority would you suggest should have the final nomination?—That must be an authority of the same kind as they have in England, the Commissioners of Civil Service or something of that kind. I am for constituting it on a broad basis, not purely official, but with non-officials as well.

43464. Failing the Civil Service Commissioners, you would have some body consisting of Government representatives with a non-official element upon it?—Yes.

43465. You think that the inclusion of a non-official element in that body would remove any apprehension in the minds of the public that there would be favouritism?—In a large measure it will, but I think that those selecting will be very fair men and in the long run there will be no cause of complaint.

43466. Do you think, with your great educational experience, that young men who have passed their M.A. examination at Allahabad University would be up to the general standard of the Indian Civil Service examination?—Very nearly up to that standard. In the subjects which they take up for the M.A. degree they will be almost equal, if not equal, but the Civil Service examination comprises many other subjects and they will not be equal to it in those subjects.

43467. In what respect, if any, would they fall below the standard?—It is difficult to decide in what respect. I do not want to put the claims of my University on a very high basis; it is more out of a feeling of modesty that I say they will be very low. I think they will be almost equal.

43468. You mean it is really your modesty which compels you to say that there might possibly be a little inferiority, but if you spoke frankly you would describe the standard as being as high?—Yes, as high as the Civil Service examination in the particular subjects chosen by them for the M.A.

43469. Would you say that your standard in the University is rising every year?—Yes, rising every year steadily.

43470. You say in answer to one of the questions that, given certain improvements, education in the best Indian Universities will soon be quite as good, on an average, as the education afforded by English Universities. Is that based on experience of the Indian University?—Yes.

43471. Is it also based on an intimate knowledge of the standards of English Universities?—So far as one can possibly do so, by examining the calendars of Universities, and the courses, presented and by seeing those who go through the Universities.

43472. What is the earliest age at which your young men take their B. A. degree?—The earliest possible age is twenty, but sometimes they go up to twenty-one or even twenty-two.

43473. Is there any minimum qualification which could be taken other than that of the B.A. for an examination in India?—The B.A. or the B.Sc. are both of equal standing.

43474. Would you take those two as the qualifying test?—Yes.

43475. In your answer to question (11) you say that you would recruit the Judicial branch on the same lines as those on which the Judges of the High Court are appointed?—Yes.

43476. You would give one-third to the Indian Civil Service, one-third to officers promoted from the Provincial Civil Service, and one-third to the Bar?—Yes.

43477. Do you think you would find members of the Indian Bar who would be willing, and fully qualified, to take the position of a District and Sessions Judge?—I think I could find any number of them.

43478. Do you think you would also find English members of the Bar of a similar stamp?—Yes, a certain number of them, but not to the same extent because the members of the English Bar are fewer in number.

43479. As a matter of fact, the number of English barristers at the Indian Bar is decreasing, is it not?—It is.

43480. In making appointments from the Bar what principle would you follow?—Nomination by the High Court.

43481. We have had it suggested to us by certain witnesses that if the proposal for appointments from the Bar was adopted, an effective means of obtaining qualified men would be to select from the Public Prosecutors and Government Pleaders. What would be your opinion?—My own impression is that the best lawyers do not take up these appointments, and it would be limiting them unduly to confine the appointments to Public Prosecutors. I am speaking of my province only.

43482. You do not think that the men who are appointed to these positions are as well qualified as some others practising at the Bar?—They are in fact generally junior men, comparatively speaking.

43483. Are they not picked men as a rule?—They are picked only for their ability to conduct criminal trials. That is the main work done by the Public Prosecutors here.

43484. You have asked for a considerable extension of the number of listed posts?—Yes.

43485. If you extend the number of listed posts will it not mean that fewer appointments will be open to Indians in the Indian Civil Service?—It will.

43486. Would you rather see, on the whole, more Indians in the listed posts or more Indians in the Service?—I would like to see them in both.

43487. If it came to an alternative which, on the whole, would you prefer?—So far as the Indian Civil Service is concerned, the scope of promotion is wider, and if I had any preference I would take the Indian Civil Service, but I would certainly want more promotion for the members of the Provincial Service than they have at present.

43488. But if you found that your proposal for a qualifying examination in India for entrance to the Indian Civil Service came into serious conflict with your other proposal of extension of the listed posts, may I take it you would prefer the former to the latter?—I would still reserve certain listed posts for the promotion of the Provincial Service, because that is an important branch of the Public Service and should be encouraged.

43489. You would retain what you have got but I am asking the question from the point of view of your proposal for further extension?—The effect of that would be to discourage members of that Service to an undesirable extent, and my own impression is that any scheme which does not give them the required encouragement would not be good.

43490. Do you think that the addition of a Rs. 1,000 grade and, possibly, another grade higher than that, would be a reasonable and practical encouragement to the Provincial Civil Service?—It would be a small encouragement. I want the Provincial Service to go up higher if possible. They can go up to a certain position in the ordinary course, but it is much better to have the whole thing open to them.

43491. At what age will you select your listed post officers?—Somewhere between 45 and 50, and if possible, in the full vigour of life.

43492. That does not give them very many years in which to attain to higher positions in the Service?—It does not ordinarily.

43493. It would not give them such a favourable opportunity for promotion into the higher branches as your other proposal of admission of young men direct into the Indian Civil Service?—That is so.

43494. Would you keep the listed post officer in a class apart or give him full membership of the Indian Civil Service? I see you suggest he should have the opportunity of going right up the line, but I imagine the opportunity would be rather a precarious one if he does not get his post until he is 45 or 50?—In the Civil Service itself promotion is much more rapid as compared with the Provincial Service. There is grade promotion and the retirements are probably more frequent than in the Provincial Service. I would prefer them to be on the same lines as the Civil Service and they will then get more rapid promotion.

43495. You would extinguish the listed posts and incorporate these officers definitely into the Indian Civil Service?—Yes.

43496. You say that the great bulk of the educated persons from the middle classes find it extremely difficult to secure entry into the Provincial Service?—That is so.

43497. And you ask for a system of competitive examination or a combined system of nomination and competition. Which of the two do you prefer?—I would prefer the competitive examination, but if that is not possible I will take the combined system.

43498. What is your experience of the amount of work which officers in the Indian and Provincial Services have to do? Do you think that the staff is sufficient adequately to perform the work?—Both branches of the Service are very much overworked.

43499. Could you mention any particular branch of the Service that is overworked?—Take for example the Judicial Service. Some relief has been given recently by the re-organization of the system which comes into force to-day, but even now I think the officers have to do a great deal more work than they can properly perform.

It gives them no time to read or prepare themselves for higher work. They have to grind from early morning till a late hour every day.

43500. You think more officers ought to be appointed?—Yes, I do.

43501. (*Sir Murray Hammick.*) Do you think that the provincial Service at present in these provinces attracts the best intellect that is to be found in the provinces?—Ordinarily it does not, at present.

43502. What lines do the best men who take their degrees at the University take up if they do not go into the Provincial Civil Service?—A very large number of them join the Bar and others try to join the Financial department.

43503. But very few get into the Financial department?—Very few indeed.

43504. Is it not a fact that in the competitive examinations for the Financial department Madrasis carried off almost all the prizes?—In the last few years that is so. This year the Bengalis have carried the field, but ordinarily the Madrasis have done so.

43505. Do you think that if you started a simultaneous examination, such as you suggest, you would get any different class of men to go in for it from that which now goes in for the Provincial Service?—We shall get the best men for these Services, whereas we do not get the best men in the Provincial Service now.

43506. Would not the disappointments which would be caused owing to the large number of failures and the small number of appointments tend rather to prevent the best men going up for the simultaneous examination after a few years?—My own impression is that the prizes of the Civil Service are so valuable that people will come every year in larger numbers, instead of being depressed and disheartened. They may not succeed but they will try for it.

43507. Do you not think that the tendency in this country should be to elevate the Provincial Service with the view to its eventually taking the place of the Indian Civil Service, as being much more economical and probably much more efficient for administration in the end, if not now?—That might be the trend of the policy of the Government, but it is a matter of future experience. One cannot decide a thing like that offhand.

43508. Do you think it is quite as important to raise the Provincial Service as a Service as to find a means of allowing more Indians to get into the Indian Civil Service?—The Provincial Civil Service is a comparatively inferior Service and it does not attract the best men of the country.

43509. But do not you think our present efforts should be rather directed to getting rid of that characteristic of the Provincial Service and making it a Service which would attract the very best intellects here?—That is only possible by doing away with the distinction between the two Services, and I do not know how it will work practically when you are considering the appointment of Englishmen to those Services. Take for example the Accounts Department. You take an Indian recruit at Rs. 250, and he rises to Rs. 1,950. The European is taken at Rs. 300 or Rs. 400 and rises to Rs. 2,050. If you have a system like that the result will be very rapid promotion, comparatively speaking, for Indians. You will be doing away with the distinction between the Imperial and the Provincial. If that is the objective it is possible, but I do not know whether the Government is prepared to do that.

43510. Do not you think that adding very largely to the number of listed posts will improve the popularity of the Provincial Service very much?—Certainly. The more valuable appointments you add the more popular it will be.

43511. I do not quite understand your system of examination. Do you wish to have a simultaneous examination only for a certain number of appointments?—I advocate a simultaneous examination without any restriction; but if there is any real fear of the European Service being swamped I am content as an alternative to have a smaller number examined in India.

43512. That would amount to a separate examination?—It would be the same examination for both.

43513. But if you had any smaller number of appointments available in India you could hardly bring them on to the same list?—They will have their places in the list, but the selection would be limited.

43514. You would run the risk of certain Indians or Englishmen who went home for the examination getting in over the heads of men who got more marks in India?—There is the possibility. It is only to meet the other difficulty felt that the Indians will swamp the Service. You have to choose the lesser of two evils and it is on that principle that I am quite content to have it on a limited scale. But on principle I should ask for it to be open completely without any restrictions.

43515. What do you think of a proposal to list the posts in the Provincial Service at a much younger age than at present, say after 8 or 9 years' service, when the Government will have had experience of men fit to hold the listed posts and could at that period take them into the listed posts and give them an opportunity of rising to the highest posts in the Civil Service?—It will dissatisfy the seniors in the Provincial Service who are passed over.

43516. But do not you think it would encourage the men at the bottom?—Certainly.

43517. Do not you think it would bring better men into the Provincial Service than come in now?—Promotion at any point would bring in better men, but the only thing is whether one is prepared to leave the upper strata of the Service discontented or give them promotion too. This is a question of expediency. One does not like to dissatisfy men who have done good work in the Service for many years.

43518. Do you think it would be possible to do as is done in some other Services, reserve a certain number of these listed posts for the seniors as a reward for long and good service, and give the rest to young men who promised to do thoroughly well in the Civil Service?—That might be a method of meeting the difficulty, but I would prefer the promotion in the Provincial Service to be more rapid, so that men may rise to a certain stage much earlier than they do at present.

43519. In answer to question (49) you say that the members of the Provincial Civil Service holding the listed appointments should be governed by the same leave rules as members of the Indian Civil Service. Surely the conditions of leave are quite different. A man who has his home in Europe must come under some different leave rules from the man whose home is in the province? —In the first place, Indians as a rule do not take long leave. They are content to work on without taking any leave; but if one wants to go to England for study I would put him on the same footing as any other member of the Imperial Service.

43520. That would be with the idea of allowing him to go to Europe?—Or other countries if he likes to go to them.

43521. Would you like to see these men go to Europe?—I would encourage them if they liked to do so, but I would leave it to their own choice.

43522. As regards recruiting for the Provincial Civil Service, you say in answer to question (52) that all candidates for direct appointment to the Executive branch of the Service should be graduates in Law or Vakils; and then in answer to question (54) you say: "What is due to any particular community may be the subject of some difference of opinion, but I certainly agree to this principle so long as the principle of securing the best and the most efficient public servants is not subordinated to it." Do you think you could provide for the due representation of classes and communities if you restricted your Service entirely to graduates in Law at the Allahabad University, vakils, and pleaders? Are not there a number of other people who desire to represent the communities who would not come under that classification?—In my opinion a good qualification in Law such as I recommend is a *sine qua non* for good work in the Service, and it should be insisted upon even if it does not produce equal representation of all communities.

43523. You think that even for the Executive side of the Service it is very necessary they should have a degree in Law?—Yes.

43524. (*Mr. Chaubal.*) What is your opinion of the suggestion made to the Commission that such inequality as exists at present on account of the examination being held at a long distance from India should be remedied by starting a certain number of scholarships to be given by the Universities to the best Indian candidates?—I think it will be no relief at all comparatively speaking. It would be a very poor remedy.

43525. May I know why you consider it to be poor?—Take for example what has happened in the Allahabad University. We have a chance of recommending a State scholar practically every three years, and up to this time we have sent ten persons and only one of those has got into the Civil Service.

43526. Are those Government scholarships? —State scholarships given by the Secretary of State to the Universities.

43527. For the Indian Civil Service?—No, for study in Europe.

43528. I am speaking of the two scholarships that Government gives to the whole of India every year for the Indian Civil Service. If instead of these two scholarships a large number of scholarships were started to enable the best of Indian candidates to go home and appear at the competitive examination, how would that scheme stand in your opinion as compared with the simultaneous examination?—Very few would be able to avail themselves of it. There are difficulties other than pecuniary difficulties in this matter. My own impression is that if the scholarships are awarded the number availing themselves of it who are likely to be successful will be very small. It will keep back a very large number.

43529. If the number will be small who do you expect will appear for a simultaneous examination held here?—The best men of each province.

43530. Will not those best men go to England with the scholarship?—There are many other difficulties than the pecuniary difficulties, and that will not remove all the difficulties.

43531. Supposing such a scheme of scholarships was adopted, at what age would you assist young Indians with them?—Say between 20 and 22.

43532. You would not like these scholarships to be given to young Indian students at the ages of 13 and 14?—I think not. They are too young to be sent to a foreign country. They will have no contact with this country and will cease to be Indian, so far as a knowledge of their country and its social and economic conditions are concerned.

43533. Would it be possible to select the proper material at that young age in India?—I think it is doubtful.

43534. With respect to the Provincial Civil Service, you had in your province for some time recruitment by competitive examination, had you not?—No. It was a combination of two systems. The persons who were to compete were first nominated. It was only a modified competitive examination.

43535. You mean it was confined to nominated persons?—Yes, to approved nominees.

43536. Were the results of the competition regarded as satisfactory?—I think we got a much better class of men.

43537. You prefer that system to the system of pure nomination?—Certainly.

43538. What would be your opinion with regard to lowering the present age for the competitive examination to 17 to 19, as it once was?—It will be simply destructive of Indian aspirations to have any further lowering. You will not get the class of men who are able to compete successfully unless they leave their country at a very early age and study in English Public Schools and live as Englishmen from a very early age.

43539. Is the opinion you have given in answer to question (57) about the separation of the judicial and executive functions a counsel of perfection, or do you recommend it in order to remedy any evils which you at present find from the combination of the two functions?—It is to remedy evils which exist.

43540. (*Mr. Madge.*) You are an authority both on legal and educational matters, and I should like to ask for your frank and thoughtful interpretation of the passage that you quote from the statute, about no Native of the said

territories being ineligible. There are two extreme opinions on this point. The one apparently is that any person of any race may claim any appointment for which he considers himself fit. The other extreme opinion may be that members of the Civil Service, as representing the governing race, may desire to preserve their vested interests. Now the Government stands between these two and is responsible to the whole country, and while the claims of the educated class have been put forward with great force and with great publicity everywhere, the ignorant masses have not been really represented here, or anywhere for that matter. Do you or do you not think that a Commission like this should attach the greatest possible weight to the opinion of the Government which has declared its desire to appoint Indians as largely as it can?—I think weight should be attached to it, but I do not know what you mean by the greatest weight. Everything has due weight attached to it. This is a factor which ought to be taken into consideration.

43541. I do not underestimate the political importance of the educated class, but they are a minority, and the great unrepresented masses have to be considered. The opinion has been given here that greater importance should be attached to the real interests of the masses, which do not seem to run in all respects in the same direction as those of the educated classes?—My own opinion is that there is no real difference between the interests of the two classes. They are identical.

43542. I think they ought to be, but you think they are?—They are, I think.

43543. All examinations are held with a view to fill some vacancies, and the simultaneous examination in India is intended to obtain Indian candidates for vacancies in the Service?—That is the main object.

43544. Is there any other object?—The other object is to give them equal facilities in entering the service. Of course there is no objection to non-Indian candidates if they like being examined in India, but I suppose they would prefer to be examined in their own country.

43545. Would the examinations be at the same date, at the same time, and with the same papers?—Yes.

43546. Would you tabulate the results of both candidates in both places or have a separate list of Indian candidates for Indian vacancies and a list of English candidates for English vacancies?—I would prefer a common list.

43547. You think it would be quite practicable to have such a list?—I think so.

43548. As regards oral examinations, great importance has been attached to them on many grounds, amongst which is this, that an examiner may judge a great deal from the talk with the candidate, his demeanour, and other things. How would you have any effective oral examination in India and in England?—If we have a good set of examiners, selected men whose judgment we can rely on, there would be no real difficulty; it is done in many University examinations. When the number of candidates is large you have to provide one or two sets of examiners. There may be some possible variations, but on the whole the result is practically correct.

43549. But you can never have the same examiners?—In this case if the examinations are held on the same date, of course the examiners would not be the same.

43550. You do not attach as much importance as some witnesses have done to having identical tests for the two classes?—The oral test is conducted in the same manner by a different set of examiners.

43551. There might be wide difference of opinion drawn from the demeanour of students?—There is always an element of error in all these matters. If we cannot attain to perfection we must submit to what we can get.

43552. That would be one drawback to the simultaneous examinations, and its importance will depend on the weight attached to it by different people?—I think it is a very small drawback.

43553. You have already expressed an opinion that the Indian standard of examination is nearly up to that of the Indian Civil Service. In that respect you differ from most of the witnesses we have had here, who think it is not up to it, and that it will be a considerable number of years before we have many successful candidates. You do not agree with that opinion?—No, I am not inclined to agree with it.

43554. Do you think the effect of simultaneous examinations in this country upon education, with reference to possible cramming and other results, would be good or bad?—I do not think it will have any appreciable effect.

43555. Have you read the opinion of Sir Alexander Pedlar, late Director of Public Instruction in Bengal, of the result of teaching in the Calcutta University?—I have not had the advantage of reading it.

43556. Do the students who come up for the Matriculation belong to the same class as the students who would come up for the Indian Civil Service simultaneous examination?—Partly to the same class, but there may be slight differences. The Matriculation attracts candidates from a very wide field, embracing many classes, and everyone who wishes to go through a University course has to pass the Matriculation, or the school-leaving certificate examination.

43557. You do not think that if Indians did not succeed in passing there would be a desire to reduce the standards in this country?—I think not. The standards are rising every day.

43558. You have heard, of course, that an application was made in Calcutta to reduce it on one occasion when a number of Indian students failed?—Yes.

43559. You do not think that is likely to occur again?—No, and the application is never entertained as a matter of fact.

43560. In answer to question (11) you say that one-third of the appointments should go to the members of the present Indian Civil Service. Do you make that recommendation because you think that they would be quite competent as Judges, or because you recognise some claim they have, although they may not be quite competent?—There are in the Civil Service

many very competent Judges. The Civil Service produces them, and I think we ought to give some recognition to their claims.

43561. But this is a question of Judges from the Indian Civil Service?—There are many competent men in the Indian Civil Service.

43562. Do you keep this one-third because you believe them to be quite competent in all respects or do you merely think they should come in, as they have come in, in the past, as a kind of reservation of vested interests?—Partly from that point of view and partly because that number of qualified men would be found without difficulty.

43563. And you think the rest of them are not up to that high standard?—It is a very hard thing to say. It is a question of aptitude and special training and experience of that particular class of work.

43564. You think the Judicial officers should not have any executive duties to discharge. We have had the opinion not only of Civilian but of Barrister Judges, that the executive experience of a Judicial officer in the earlier days of his career is of great value on the Bench. Do you at all agree with that opinion?—I would not place on it any very great value. A Judge ought to have every kind of experience possible, nothing being of such value to a Judge, but his contact with executive work at the time he is a Judge is not at all desirable.

43565. Do you think it produces any wrong frame of mind or otherwise disqualifies him as a Judge?—It places him very often in an embarrassing situation as a Judge.

43566. With regard to your reference to Statutory Civilians, do you think the system was radically bad in itself or that the selections were unfortunate?—I think the selections were more responsible for the results than anything else. If you select the best men, whether by examination or any other method, you get the best results; but it is not quite possible to get the best men selected in that way as a matter of practice.

43567. You are aware, of course, that the desire of the Government was to get some good class that could not be captured otherwise. I suppose no method has occurred to you of securing the real talent and character we see in other careers but which unfortunately has not been obtained for the Services?—The only method is by testing them in the manner suggested by me, by examination, by experience at the Bar, and so on. Mere selection very often results in mistakes.

43568. (*Mr. Fisher.*) Can you tell me whether there is eny difference between the standards in the different Indian Universities?—They try to maintain the same standard, although I believe in practice in some subjects the standards are different.

43569. Would the B.A. degree be of equal value throughout India?—I believe it is in all the Universities throughout India.

43570. And the M.A. degree also?—Yes.

43571. So that if simultaneous examinations were established, each of the five Indian Universities would probably get its fair share of Honours?—I think so.

43572. Do you think that the Muhammadan community has made great advance in education in recent years?—Very great advance. They are pushing forward very energetically.

43573. If simultaneous examinations were granted, do you think the Muhammadans would get a fair share of the distinctions?—I think so. They may not for a few years, but it is only a question of time. I think the time is not very far off when perhaps they will get more than their common share: they are getting on so well.

43574. Are they doing particularly well in the University with which you are connected?—Very well indeed.

43575. Making progress?—Yes.

43576. In what branches of academic knowledge would you say Indian students were generally most proficient?—Up to recently the Indian student took the study of languages, history, or philosophy, much more than anything else. In recent times their attention has been very much attracted by Science. At present the best men very often go in for Science. It is a question of personal aptitude.

43577. Your prediction would be that if simultaneous or separate examinations were granted, for the next ten years or so the Indian successes would be mainly scored in Science?—I think in other subjects too.

43578. But probably mostly in Science?—I should not say mostly, but to a great extent. I do not mean to a predominating extent.

43579. I understand you to say that lowering the age of competition would be fatal to the aspirations of the Indian student?—Yes.

43580. I suppose you gave that opinion on the assumption that the Indian student was to go in for exactly the same examination as the English student?—Yes.

43581. But would you maintain that position if a system of separate examination, suited to the special requirements for work in India, to use your own words, were established in India, and Indians were given a fixed number of places as the result of that examination?—A service so recruited would be regarded as an inferior service, and it is not desirable to create that.

43582. Are you not assuming that the examination would be an inferior one?—That is what I understood to be the drift of your question.

43583. The drift of my question was not an inferior examination but an examination specially suited to Indian educational standards. I understood you to somewhat criticise the curriculum of the examinations as they stand at present on the ground that it was not suited to Indian needs.—Not quite suited.

43584. I was suggesting the possibility of a separate examination more fully suited to Indian needs in India?—I think it would not meet the situation. In mentioning an examination suited to Indian needs I meant an examination of the same standard but with subjects such as would be of more use in India, and an examination in those subjects up to the required standard at the age of 17 or 18 is impossible. It is too early an age for Indians, who have to learn everything in a foreign language, to acquire the standard.

43585. To acquire the standard of the English

school-boy?—I want a higher examination, not a school-boy examination.

43586. You are not comparing in your mind an Indian examination at a school-boy's age with an English examination at an undergraduate age, are you?—That is my impression of what your examinations would be. If Indians are examined at the age of 17 or 18 they cannot but be of a lower standard, because at that age they cannot learn in a foreign language all that is necessary for the required standard.

43587. I am not quite certain whether we quite understand one another. Let us assume that in order to obtain a better English candidate for India it is desirable, having regard to English needs alone, to reduce the age to 19. In that case you would admit that English boys would have to be examined in a school-boy examination, lower in standard than the present examination, which is suited to young men of an advanced age, and similarly Indian boys would have to be examined in a school-boy examination suited to the standard of learning which an Indian boy might be expected to possess at that period. Assuming that those two examinations were established, and a certain number of places were granted to Indians on a separate Indian examination, would that be destructive of the aspirations of India?—An Indian student will not get that command of English at the age of 18 or 19 which is necessary for any good examination. It is too early an age to pick up a foreign language, to speak it fluently, to know its literature, and to read everything in it well and thoroughly.

43588. Then you maintain that the period of probation in England should be optional?—That is my view.

43589. Is that because you wish to respect caste prejudices?—That is one reason and the other reason is that I think the sooner the English candidates are brought into contact with actual work under Indian conditions the better.

43590. You wish that the Indian should have an option as to whether he is to go to England for his probation or not?—That is so.

43591. Some would not go and others would?—Yes.

43592. Do you think it is possible that a distinction might arise between the esteem in which the Indians who had gone to England were held and the Indians who had not gone to England were held?—It will all depend on the personal abilities and qualifications of the persons concerned. Men who have not gone to England at all have occupied the highest positions and they are not less esteemed because of their not having gone to England.

43593. You do not think there would be any disadvantage in providing so many different alternative schemes for training of the members of the same service? There are four of them: the Englishmen would have their probation in India; the Englishmen would have their probation in England; the Indians would have their probation in England, and the Indians would have their probation in India?—It only means equal provision in both places.

43594. You think all these differences would be obliterated?—It is not much in practice anyhow.

43595. (*Mr. Macdonald.*) We have had a set of objections placed before us regarding the Indian candidate in a general way to this effect, that the Englishman who is selected by a competitive examination has certain governing qualities that may be taken for granted, whereas the Indian candidate coming from an Indian college or University is a sort of mechanical examination-passer. Do you mind telling us what you think of those views?—I think they are much in the same condition. There is hardly any real difference.

43596. You do not take the view that an Indian student pays far more attention to his books and much less attention to outside life than the English student does?—There are some Indian students who are of that character, and there are others who pay great attention to outdoor exercise and so on.

43597. Would you mind telling us whether the Universities and Colleges affiliated to them are taking any steps within recent years to widen out the capacity of the student?—They are.

43598. What are they?—Take for example games and exercises. Every college has now some system of exercises and games. The education generally is more liberal. Wider reading is required; they are required not only to pass in particular books, but there is a general course in almost every subject, and a much wider scope of reading is necessary.

43599. You are aware of the problem of the development of personality?—Yes.

43600. And the capacity for a man to control himself and to control others is an essential part of the educational training?—Yes. At present greater efforts are made to discipline the students and bring them up under proper conditions.

43601. Do you regard the development of the hostel system as a part of that?—A very important part.

43602. That is one of the new University characteristic developments of recent years?—Yes. In our University it has been very much developed within the last ten years.

43603. With regard to the difficulty of the oral examination, do you know that the oral examination for the Indian Civil Service has been dropped, with the exception of an examination in modern languages?—I was not aware of that.

43604. If by referring to the documents you found that is true, you will be much happier in your mind as far as oral examinations are concerned?—That difficulty would be removed, but it was a very slight difficulty.

43605. You have told us that the prizes of the Indian Civil Service are so great that in spite of many failures the number of competitors will increase year by year?—Yes.

43606. Was that answer given after very full reflection?—Of course the question has been put now and the answer has been given straight off, but I think I should adhere to it.

43607. My own feeling is that at first perhaps there will be a very large number of men, but that in the course of a year or two the chances of success will be estimated far better by the men, and they will see that they have no chance, and will not go up, with the consequence

that the number will be very considerably reduced?—That is what will happen no doubt

43608. But that is rather contrary to the answer you have given us?—What I mean to say is that the number will still go on increasing. There will be many who will misjudge their capacity, but having regard to the large field in India from which candidates will be drawn probably the number will increase.

43609. We have heard a great deal about frauds in connection with University examinations. You have had troubles in connection with Allahabad University, have you not?—Very few.

43610. When was the last one?—The last trouble is under enquiry now; it occurred within the last two or three days. It is a very small matter and I can give you an account of it.

43611. I understand it is *sub judice*?—It is.

43612. What was the one before that?—The one before that was two or three years ago, the leakage of examination papers in a particular subject.

43613. Did the leakage actually take place?—It was discovered before the papers were set.

43614. So that the plot, so to speak, was discovered before it came off?—Yes, and new papers were set in time.

43615. As a matter of fact that plot failed?—Completely.

43616. Could you take the case before that?—That again was a case in which the paper leaked out. We got intimation of it about twenty-four hours before the paper was to be distributed in a particular centre, and a new paper was set and distributed. It was leakage only in one centre.

43617. I do not think there is any harm in telling us what the examination was?—I believe it was the Intermediate examination and not the B.A. examination.

43618. There again an attempt was made to extract examination papers?—Yes, one particular examination paper. We got intimation of it some twenty-four hours before. The Superintendent of the examination heard of it in some way and made the discovery and he had a new paper set for that particular centre.

43619. So that is another case of a plot that failed?—Yes.

43620. From your knowledge of all these difficulties, do you think there is really very much difficulty in overcoming any form of fraud that has been discovered up to now if Indian Civil Service examinations were conducted in India?—There is no real difficulty at all.

43621. Did you ever hear of a case of one man sitting for another man in the Provincial Service?—I am not aware of it.

43622. Did you never hear of a case that where a man had got into the Provincial Service doubt was cast as to whether he was the actual man who sat for the examination?—I have heard of that case but I do not know how far it is correct. I may mention one more thing to you, namely, that in the LL.B. examination or the High Court Vakil examination, which has been going on for twenty-four years, there has not been a single case.

43623. (*Mr Sly.*) Was not there one case in which the Matriculation examination had to be held over again because of some examination trouble, or if not the whole examination at least at one centre it had to be held over again?—I think it was the case of the Intermediate Examination, not the Matriculation.

43624. They had to hold the examination over again?—Yes, in three subjects. That was last year.

43625. You have proposed an increase of the listed posts, or rather you have preferred that instead of increasing the listed posts those posts should be merged into the Civil Service, and that the men securing them should be considered as members of the Civil Service?—Yes.

43626. Do you recommend that those men should get the same pay as the Indian Civil Service?—My suggestion is that except in the higher grades they should get the same pay.

43627. Why do you wish to restrict it in the higher grades?—Personally I would not restrict it at all, but as the system has prevailed up to this time I would be content that in the case of some of the higher appointments the proportion might be maintained, though not on the same scale. For example, in the High Court or the Judicial Commissioner's Court or the Board of Revenue, I would make no distinction whatsoever. The same salary should be given to an officer from either branch of the Service. Similarly in the case of Judgeships, except in the highest grade, the salaries should be the same. It is possible in the highest grade to make it somewhat less.

43628. Why do you wish to make that distinction in the highest grade?—I do not wish to make any distinction, but as the system has prevailed so long, I am quite content to leave it as it is at a certain point.

43629. If it is to be left at all, would it not be more fair to leave it in the lower grades, and when you came to selection for the best appointments, and selected thoroughly fit officers, they should both receive the same?—In the lower grades the cost of living has risen so high that there is no room for reducing the pay any further. The Indian has to spend as much on his living as the Englishman.

43630. Would you put them on the same leave rules or separate leave rules?—The same.

43631. And in regard to pension?—I have not considered the question of pension at all.

43631A. With regard to your scheme for the Judicial Service, can you tell me how many English Barristers there are practising at Allahabad in the High Court?—In the High Court there are about a dozen English Barristers, or there may be a few less. I can give you the names if you like.

43632. I only wanted you to verify the number in your mind, because I was told there were less?—I can count now as many as ten.

43633. In the mufassal?—In the mufassal there is only a sprinkling of one or two here and there. I do not include Lucknow in the mufassal because Lucknow has a High Court of its own, and I believe there are about five or six English Barristers here. There have been some changes in the Bar.

43634. If you enforce your proposal that admission to the Executive Provincial Service should be restricted to graduates in Law, will not

that be an undue handicap on the policy that the University has been following of trying to popularise the degree in Science?—Those who take a degree in Science are also permitted to take a degree in Law later on.

43635. They have to take two degrees?—Yes. In fact, in our University no one is allowed to take the degree of LL.B. unless he takes the B.A. or the B. Sc. degree first.

43636. Then he ought to have the additional degree of LL.B?—Yes.

43637. You have expressed an opinion that the standard at all Indian Universities is at present much the same?—That is my impression.

43638. Was it not the case, even in your own province a few years ago, that there was a complaint that students of the United Provinces went off to the Punjab because it was considered so much easier to pass there?—That was for the Matriculation. There are two reasons. In our University no one is allowed to go up for Matriculation unless he has completed his sixteenth year. In the Punjab there was no limit at one time, but there is an age limit of fifteen now. The Punjab Matriculation was regarded as easier by students.

43639. Was it not the case that some candidates went to the Punjab to get degrees because they thought it was easier?—I am not aware of any cases. We believe that it is lower in the Punjab but the Punjab does not accept that.

43640. You do believe it is lower in the Punjab?—It is difficult to say.

43641. Did you hear that the Central Provinces complained very much when they were transferred from the jurisdiction of the Calcutta University to the Allahabad University because they said the standard of Allahabad was much higher than that of Calcutta?—For a long time the B.Sc. course has been much higher than the Calcutta standard, and I believe there was a difficulty. We require a more thorough and practical knowledge in Science than the Calcutta University required in 1904.

43642. Was there not a complaint with regard to the Arts course, that in Calcutta it was easier than in Allahabad?—When a student has to leave one University and come to another he must find something to complain about.

43643. So far as present conditions are concerned you think the Universities are fairly even?—That is my impression.

43644. You said just now that the best students were taking up Science to an increasing extent. Can you give us the comparative numbers of B.A's and B.Sc's in the University?—When we started our Science examination we began with about 30 students, but there are now somewhere between 300 and 400, in the various classes.

43645. How many B.Sc's pass in a year?—Something about 100.

43646. And B.A's?—The number of B.A's is about 800. I am only giving a general impression.

43647. You have referred to the movement for living in hostels. Can you tell us about what proportion of the college students do live in hostels?—In the Muir Central College at Allahabad out of about 400 students I believe between 300 or 350 live in hostels.

43648. Can you give us what proportion of college students in the province live in hostels and what proportion are non-residential?—The figures are given in the last Educational Report but I cannot give them from memory. The report is not yet published, but it will be out, I believe, a little later.

43649. (*Mr. Abdur Rahim.*) As regards the leakage of questions there have been some cases, but I think in most years there has been no such leakage and no complaint at all?—That is so.

43650. Does not that tend to show that in the year when there was leakage there must have been some want of care or supervision which led to it?—It has been always found as due to that, on investigation.

43651. A want of due protection of the question papers?—Yes, and it is mainly in respect of papers locally printed in India. We have a system now of not printing papers locally, but I cannot describe the system as it is confidential. I can however give a note on the subject to show what the system is.

43652. You say that investigation in both cases showed that there was some sort of carelessness or negligence?—Generally.

43653. You are strongly opposed to lowering the age for Indian students and your main ground seems to be that such men would be out of touch with the people?—That is one of the reasons.

43654. Do many students go from here at the age of 13 or 14 to England?—I know some who have gone in recent times.

43655. Can you say from experience that those who have been educated in England from a very early age lose touch with their people, generally speaking?—To a certain extent they do, but it all depends upon the particular individual. For example, where the student has come back every second or third year, or where the parents have gone to see him and kept in touch, there is more contact than in the case of a student who has been simply deposited in an English school and comes back after eight years.

43656. Is there any opinion in this province as to the comparative efficiency of members of the Civil Service who have passed at the later age and those who have passed at a younger age?—I believe, so far as our provinces are concerned, we have men who have only come in at the later age.

43657. Have you not men who passed at the younger age?—I am not aware.

43658. I am referring to both Indians and Englishmen?—Those who passed at a later age are generally much better.

43659. So that the Indian opinion is in favour of the later age, both for Indians as well as Englishmen, so far as efficient administration is concerned?—Yes.

43660. We have heard in some other provinces that a considerable amount of touting goes on for testimonials and certificates on the part of candidates for the Public Service. Does that prevail in this province also?—Yes.

43661. Is it felt as an evil?—I have felt it as an evil when people have come to ask me.

43662. You think it is a thing which ought

to be avoided?—If possible, but it is difficult to avoid it completely.

43663. Is that one of the reasons which induces you to suggest a competitive examination test?—That is one of the reasons.

43664. You have suggested that even for the Provincial Civil Service, Executive Service, the candidates should be required to have a degree in law?—Yes. A knowledge of Law is required by them for disposing of their work properly.

43665. Have they to administer many Acts?—They have to administer the Criminal Law and also the Revenue Law, and that class of cases is constantly heard by them. They have to do with a number of miscellaneous Acts and if they have a larger knowledge of Law and legal principles they are worthy of promotion to other branches of the Service.

43666. You told us there are a sufficient number of men available if a certain number of appointments were thrown open to the Bar. We have had considerable objection to such a proposal on the ground that those who are in good practice would not accept an appointment as a District Judge, and that those who would be willing to accept the appointment would be generally briefless Barristers or Pleaders. What do you think of that objection?—Those in the best practice will not go in for these appointments; but if you catch good men earlier you will get them.

43667. You would get men of 10 or 15 years' standing who were in fair practice, and of whose ability and experience there can be no doubt, to accept a District Judgeship?—I think so.

43668. Another objection put forward to a proposal like yours is that members of the Bar would be wanting in executive experience and that would disqualify them for a Judge's office?—My own impression is that a member of the Bar has much more experience of the work that has to be done and what is required for all judicial cases.

43669. You do not think there is any special virtue in executive work as a qualification for a Judge's place?—I am not inclined to ascribe any particular value to it.

43670. Are there practitioners in the District Courts also from whom these District Judges may be recruited?—Yes.

43671. Has any appointment been made direct from the Bar to a District Judgeship?—Two have been made in the past direct to a Subordinate Judgeship, and I believe one was made to a District Judgeship many years ago who subsequently became a Judge of the High Court.

43672. I find you have expressed a strong opinion in favour of the separation of the executive and judicial functions, and I should like to know what you have to say to certain arguments which have been advanced. It has been suggested that the present system enables the District Magistrate to judge of police work as a Magistrate?—He is the head of the police and for that purpose his position as such is perfectly good, as he can know exactly how the police are going on.

43673. It is not necessary for him to be a Magistrate in order to judge of the police?—Undoubtedly not.

43674. At any rate not at the same time that he is head of the police?—No.

43675. Another argument is that it is only the District Magistrate who would be in a position to keep Honorary Magistrates up to the mark?—I am very doubtful about it.

43676. Have you got Honorary Magistrates with first class powers?—Very few indeed. I believe there may be one or two. We have many second-class and third-class Honorary Magistrates.

43677. Supposing the Honorary Magistrates were placed under the supervision of the District Judge, would he not be able to supervise their work?—I think he would be perfectly well able to do so.

43678. Another argument put forward is that the District Magistrate only can control prosecutions in municipal, sanitary, hackney carriage and similar cases?—I thought the Public Prosecutor controlled all these. The Court Inspector, or whatever the name may be now, practically controls all these cases.

43679. Does the District Magistrate direct hackney carriage cases and municipal prosecutions?—The power is given generally to the Chairman of a Municipal Board to sanction prosecution, and in some cases the Chairman is not an official at all. In some cases there is a paid Chairman in charge of the municipality and in other cases the Magistrate is the President.

43680. It is suggested that if the District Officer is not a Magistrate he will not be able to check these prosecutions, that cases may be launched which ought never to have been launched?—I do not know whether he is able to exercise any effective check.

43681. Does he not consult Public Prosecutors as to whether an important case ought to be prosecuted or not?—In our provinces, in the districts, the Public Prosecutor is a Court Inspector, that is to say an Inspector of Police with certain legal qualifications. He has passed an examination in certain branches of Law. He is a subordinate. If there is any very important cases I suppose he has to consult the Legal Remembrancer in the ordinary course, who is the Public Prosecutor for the mufassal.

43682. Is there not a Government Pleader in each district?—There is one in each Judgeship.

43683. Is not his advice sought in the matter?—It may or may not be; it is not necessary. If the matter is of sufficient importance to require outside advice I believe the Legal Remembrancer is the person asked to advise.

43684. The next argument is that a District Magistrate, who is responsible for the peace of the district, alone can properly hear *badmashi* appeals, but could not a District Judge properly dispose of those appeals?—He can, and he does, the more serious of them. In certain classes of cases the confirmation of the Judge is required as in cases under section 110.

43685. It is also suggested that if the magisterial power is taken away from the District Officer it will impair his authority as District Officer. In your province does not the Commissioner of the division command sufficient authority?—He does.

43686. But he has nothing to do with magisterial functions?—No.

43687. He never performs any magisterial duties?—No.

43688. Is the public opinion very clear on the point of the question of separation?—I think it is.

43689. It is suggested that those who are appointed from the Bar will not have experience of criminal work. Does not every Pleader or Barrister in the earlier stages of his career do a great deal of criminal work?—Yes.

43690. And in all criminal cases of importance the services of men in good practice are requisitioned?—Yes, if they are able to take up those cases. Men in large civil practice do not take up criminal cases as a rule.

43691. But in important cases their services are required?—Occasionally they are required.

43692. (*Sir Theodore Morison.*) I should like to clear up first these examination frauds or leakages. I think you said no case had occurred in the LL.B. examination?—Not one.

43693. And in the M.A. examination?—Not one that I can remember.

43694. In the B.A.?—There have been one or two cases I believe in the B.A.

43694A. The instance you gave just now I understood you to say was in the Intermediate?—Yes.

43695. Can you specifically recall any B.A. case, or is it an impression in your mind?—The only case I can recall is the last case I mentioned in which a paper had leaked out.

43696. You have several centres for the B.A. examination now?—Only two: one at Nagpur and one at Allahabad.

43697. Was the question paper abstracted that you say leaked out?—Some of the students had come to know some of the questions. We could not trace whether the paper had actually leaked out or not, but some of the questions were known.

43698. Is it not a fact that before every examination there is a rumour between the students that such and such questions will be set every year and when the paper actually appears the rumour proves to have no foundation?—That is so.

43699. Supposing the evidence before us was that for the English members of the Civil Service it was necessary the age should be reduced to 17—19 or 18—20, what would you then recommend in the way of differential treatment to secure to the Indians at least that position which they occupy at the present time?—The maintenance of the present age rule at least for them. You cannot expect Indians at so early an age to acquire the necessary command of English.

43700. You would have a simultaneous examination?—If the English examination is lower and conducted at a very early age, and you have a simultaneous examination, I should certainly require that Indians should be about 20 or 22.

43701. Supposing the age for Englishmen had to revert to the earlier limit, 17—19, what age would you recommend for an examination for Indians?—The standard would be the same as it is now.

43702. Clearly not, because boys cannot do so well as graduates?—It will all depend on the standard.

43703. There is no standard except that which is set by the candidates themselves. It is a a competitive examination, and it would be presumably about what it was before; a syllabus adapted to school-boys, representing school-boy education in England.—I should still require that the Indians should be permitted to sit at an older age than the English boys.

43704. What age?—Anywhere between 20 and 22.

43705. So that they could have taken their B.A.here?—As soon as they have taken their B.A.here.

43706. Would you wish them to sit at the same examination?—If possible it should be the same examination for both. If the English examination is very much lower, I do not claim that our Indian students should be allowed to go in on a lower examination; but if it is to be of a proper standard it should be the same for both.

43707. Would you have competition between the boys and the graduates and place them on the same list as the result of the examination?—Unless it is very unjust to other students, that is to say, they never take the place they ought to take. I would have the same list.

43708. You would not think it reasonable that the B.A's should compete with Intermediate students?—I should not think so, but I would not like to have Intermediate candidates at one place to compete in an examination with B.A's at another place. I should like to have the same standard in both places.

43709. Supposing it were not possible to have, under those circumstances, a simultaneous examination, what system would be most satisfactory for the admission of these Indians of 20 to 22?—I suppose another examination of the same kind.

43710. I asked you that question because you have taken a share, I think, in the selection of the Government scholars?—I have.

43711. Is there any objection to telling us what the method is?—Absolutely no objection. The Government scholars are generally candidates from particular colleges, and as a rule the Principals of the Colleges who are on the syndicate prefer not to sit on the committee because they have some candidate or other to back up. The selection board consists generally of the Vice-Chancellor and two or three other members of the syndicate. One of them is generally the Director of Public Instruction and there are one or two other persons of the same class.

43712. It is a committee of the syndicate?—Yes.

43713. Have their nominations always given satisfaction?—I believe so.

43714. In the strong denunciations that we have heard of selection or nomination, would you include the selections or nominations which are made for Government scholarships? Do you think that that particular class of selection has failed?—The selection is made by a committee and is then brought before the syndicate, and

the syndicate finally select the men; so that it is really a selection by the whole body.

43715. Does it give satisfaction?—I am one of the selecting persons and I am satisfied. I believe there is no complaint. No doubt the candidates who are not selected are not satisfied.

43716. I mean the public, not the candidate. —The public are satisfied, I think.

43717. Can you tell us of anything that has happened to the ten Government of India scholars who have gone up from this University?—Two are reading in England or Germany.

43718. Government of India scholars?—Yes, State scholars selected by the University.

43719. You are not including the Arabic and Sanskrit scholars?—No.

43720. You said that two were reading in Germany?—Either in England or Germany, but I am not certain of their whereabouts just now: they are in Europe. That leaves eight. One of the eight is a member of the Civil Service, and two are Professors in Colleges, having obtained very high degrees in Europe.

43721. Did they try for the Civil Service?—I am not aware of that. Probably one of them was beyond the age, and he was sent up there and we specially recommended him on account of his qualifications to be taken as a Government State scholar. I think his age was about twenty-two. Of the others one was a Lawyer and he entered Government service and is now in the service of a Native State in the Judicial department.

43722. I only wanted to know whether you can give us the proportion of those who had tried for the Indian Civil Service examination and failed?—I am not in a position to do that.

43723 Seven might have tried and one has got in?—I cannot say.

43724. (*Lord Ronaldshay.*) You told us that the Muhammadans are making great progress in education at the present time?—They are.

43725. How many Muhammadan B. A's does the Allahabad University turn out in the course of a year now?—I could not give you the exact number, but I believe about one-fourth of the successful candidates are Muhammadans; it may be one-fifth. It is a good number. In 1911 out of 581 candidates for the degree of B. A. from the United Provinces the number of Muhammadans was 289 and for the B. Sc. degree out of 128, the number of Muhammadans was 16.

43726. Is that a fair proportion of the number of Muhammadan students at the University as compared with the same proportion in the case of other races?—I think it is certainly fair, if not more.

43727. Would you say that the Muhammadan students at the University produce as many B. A's, having regard to their numbers, as the other communities do?—I think so.

43728. They would therefore have an equally good chance with the other communities in the case of an open competitive examination?—I think so.

43729. With regard to your suggestion for a central institution in India for Indian Civil Service probationers, you say that Indian subjects can be best studied on the spot, and that the study of a vernacular in a place other than the one where it is spoken is always attended with considerable difficulties. Have you thought where you would set up this central institution?—I have only made a suggestion; but I should think a place like Simla for example.

43730. But you would not find languages like Tamil, Telugu, Canarese, spoken at Simla?—There would be teachers who would speak with the candidates.

43731. But I understood from your answer that the advantage you expected to derive from an institution of this kind would be that the candidate would be living in surroundings where the language he had to learn was spoken, so that he would find it very much easier to acquire proficiency in it?—That is only one branch of it; there are other advantages.

43732. If you only had one of these institutions that advantage would not really accrue?—It would not accrue to all.

43733. It would only accrue probably to one. How many languages are spoken at Simla?—In Simla the language spoken is the ordinary Hindustani; but there are people who speak several languages in Simla; Punjabi, Urdu, Hindustani, Bengali.

43734. You would not get any of the Southern Indian languages spoken up there, such as Tamil or Telugu?—No, that is not possible.

43735. Turning to the Provincial Civil Service, do you think that the status of that Service is improving?—I think it is undoubtedly.

43736. Do you think the qualifications of the candidates for that Service are higher now than they were ten or twelve years ago?—I am sorry I cannot compare them; they depend not only upon the courses and examinations but upon many other matters.

43737. As Vice-Chancellor of the Allahabad University you have from time to time had the right of nominating two candidates for the Executive branch of the Provincial Civil Service. Have you found considerable competition amongst your students to obtain such nomination?—Yes, but the number of candidates we can nominate is always small. We can nominate only distinguished graduates who have passed in the first class, and that number is small.

43738. Is the Service sufficiently attractive to induce these first class men to apply to you for these nominations?—There is a certain number who apply for them. I got about five or six applications for the two appointments.

43739. When you make the nominations does the Government necessarily appoint them, or does your nomination only take the form of a recommendation?—A recommendation, but it has been acted upon as a matter of course, or at least my recommendation has been acted upon.

43740. If it were found possible to adopt a system of promoting the members of the Provincial Service to the higher Service, do you think that the Service would be as attractive as any other career in India?—Hardly so; it will only enable a few persons to be promoted by nomination.

43741. I understood from what you said in your written evidence that you would not say that the Provincial Service was the most attractive career to a young and ambitious student in

India, and he would probably prefer a career at the Bar or as a journalist or something of that kind?—Yes.

43742. If the prospects of a brilliant recruit to the Provincial Service were such that he could find his way after 8, 10 or 12 years' service into the ranks of the higher service, and if in addition to that a superior grade of Rs. 1,000 were created at the top of the service as compensation to the senior man who had not been picked for promotion, do you think that the Service would be as attractive a career as any that India can produce?—It would be a little more attractive, but in practice it is so difficult to make any forecast. When the last Commission sat four Judgeships were promised, though it is only now when the present Commission is sitting that they have got these appointments. There is a great difference between holding out hopes and fulfilling them.

43743. (*Mr. Tudball.*) You practise chiefly on the civil side, do you not?—Yes, I have practised on the civil side for many years.

43744. With regard to your answer to question (11), with regard to the direct appointments from the Bar to District Judgeships, is not the Judicial Service recruited solely from the Bar?—It is, but recruited from very young men at the Bar.

43745. They have to have three years' practice?—Yes.

43746. They have passed their LL. B.?—Yes. The real difficulty is that after three years' practice if a man has good powers he has enough practice not to think of going in for the Judicial Service, and you therefore really take in men who are not of the same standard as successful men at the Bar,

43747. If however the Service were made more attractive would not that be altered?—It all depends on the extent of the attractions.

43748. I mean substantial promotion, not a few hundred rupees a month thrown in, but an attraction such as a fairly early appointment to District Judgeships?—It will be.

43749. It will improve it considerably?—Yes.

43750. If you appointed men direct from the Bar, would not the men in the Provincial Judicial Service consider they had been unjustly treated?—If you appoint a good man from the Bar who really deserves it, there may be some who will be discontented, but on the whole I believe they will accept the situation.

43751. Would this specially good man take the lower post, leaving the High Court for the present out of the question?—I do not know what salaries you would regard as lower posts.

43752. The fifth grade and fourth grade Judgeship?—That is Rs. 1,000 and Rs. 1,200, and the next above that is Rs. 1,600. Do you mean one of those appointments?

43753. He would naturally go to the lowest one first, would he not?—Yes, but if he is a specially good man there is no reason why he should not be appointed to the higher grade.

43754. Would a specially good man, making a good income at the Bar, take it?—No, not a man who is making a specially good income, but there are men at the Bar who do not make a specially good income but are very able men They have to wait for their turn.

43755. The emoluments at the Bar are considerably greater for a successful man than those in the Service?—Yes.

43756. You have mentioned two cases of direct appointments from the Bar?—There are three of them.

43757. Did either of the appointments cause any dissatisfaction among men in the Provincial Civil Service?—I think not. One appointment was made by reason of the resignation of a particular person, quite an unexpected vacancy, and I believe in the other case there was something like that. There may be injustice in the case of one particular man, but that sometimes happens in any selection.

43758. Who would be the selecting body?—The High Court ought to recommend and the Government might appoint.

43759. How would the High Court get its experience of members of the Bar?—Just as it does now in appointing to the High Court Bench. It knows the people who are practising before it, and it sees their work, and that is the best test.

43760. That would restrict the area of recruitment to the High Court Bar?—In a great measure it would.

43761. In point of numbers how does the High Court Bar stand in relation to the total Mufassal Bar?—There are two grades of practitioners in the mufassal: those who are enrolled in the High Court and those who are only Pleaders. I believe there are about 300 Pleaders of the High Court enrolled who are either practising or in the Judicial Service throughout the province, and I believe 20 or 30 are practising in the High Court too.

43762. The High Court area of recruitment would be one-tenth of the total area?—But it will be a field of selection for the best men.

43763. Would you say that all the men practising in the High Court at the present moment are superior to these men practising in the mufassal?—No. There are very good men practising in the mufassal too.

43764. Are there not some very poor men practising in the High Court?—There are very poor men too. The High Court Judges know also the people practising in the mufassal.

43765. That is the case of Civilian Judges?—Yes.

43766. In respect to Public Prosecutors, you said that they are usually junior members of the Bar?—Yes, in the districts.

43767. Is it not a fact that their emoluments are far too small to attract good men?—That is one reason for it.

43768. Is it not the main reason?—It is.

43769. If you pay a Public Prosecutor Rs. 1,000 a month in a district like Ghazipur, for instance, would you not get a very much better man?—I think so. At one time very good men took up the work at much smaller emoluments, but now the office does not carry the same prestige and only juniors go after it.

43770. With regard to Commissioners who do not have magisterial powers, Commissioners do as a matter of fact exercise certain judicial

functions, do they not?—They hear rent appeals and revenue cases and things of that class.

43771. Your suggestion about the separation of the judicial and executive functions relates chiefly to criminal matters?—Yes.

43772. You do not wish to suggest that rent and revenue cases should be taken out of the hands of the Executive Provincial Service, the Collector, the Commissioner, and the Board of Revenue?—So far as rent cases are concerned, in Bengal they are tried by the civil courts. In these provinces they are tried by Collectors. In any case of importance, wherever there is a question of law, they really come up to the civil courts.

43773. That is when a question of title comes in?—Or the value is over a certain amount.

43774. When answering questions in respect to this matter, were you considering rent or revenue cases only or chiefly criminal matters?—I was considering chiefly criminal cases, but I would not mind having regular rent suits transferred to civil courts as in Bengal.

43775. (*Mr. Kanhaiya Lal.*) Have you occasionally come into touch with members of the Provincial Judicial Service?—I have.

43776. Are you aware that there is a standing grievance amongst them that they are not allowed privilege leave on full pay?—There is.

43777. Was there not a memorial submitted in regard to the matter?—I have seen a copy of it.

43778. Did the Local Government recommend the grant of privilege leave on full pay for fifteen days?—That is what I heard generally.

43779. And the Government of India did not accept even that modest recommendation?—I have heard it. I have seen no written orders myself.

43780. Are you aware that in 1898 Lord Curzon, in a published despatch sent to the Secretary of State for India, wrote that in consideration of the monotonous, sedentary, and mental nature of the work done by judicial officers, privilege leave ought to be granted to them on full pay irrespective of the vacation?—Yes, and privilege leave was extended to the High Courts which the courts below do not enjoy now.

43781. Have there been latterly many casualties amongst the members of the Service due to overwork or overstrain?—There have been many cases of ill-health.

43782. And many cases of paralysis?—Yes. I know of two now.

43783. You have already said that the officers of the Provincial Judicial Service and of the Executive Service are overworked and constantly in need of relief?—Yes.

43784. What starting salary would you recommend for the Provincial Judicial Service in order to attract the right sort of men?—Not less than Rs. 250.

43785. Would you be inclined to raise it to Rs. 300 to catch good men earlier?—Yes. It is a question of finance.

43786. What salary would you recommend for probationary Munsifs?—Not less than Rs. 200, as in Bengal.

43787. (*Mr. Fasih-ud-din.*) You say in answer to question (27) that the number of listed appointments should be increased?—Yes.

43788. And you give a list of certain appointments which can be filled with advantage by the members of the Provincial Service?—Yes.

43789. I will name certain other appointments and ask you whether they can be filled with advantage by members of the Provincial Service. For instance, there is the post of Settlement Officer?—I think a good selected officer could do it certainly.

43790. With previous Settlement experience?—Yes. They should be promoted in due course.

43791. The post of Inspector-General of Registration?—I have mentioned that in my list.

43792 The post of Inspector-General of Excise?—I believe it is held by the same person in our provinces.

43793. Not now?—I think he can do that work very well.

43794. The Registrar of Co-operative Credit Societies?—I mentioned that.

43795. The post of Legal Remembrancer?—I believe that requires good legal qualifications and I should prefer a member of the Bar to have it.

43796. You say in your answer to question (56) that the present grading of the Provincial Civil Service is good?—It has been recently revised and my own idea is that there is an improvement.

43797. You mean that the number of posts in each grade is fair?—It is fair at present.

43798. I will read out the numbers in certain grades and ask you to reconsider this matter. In the Executive Service at present there are four men in Rs. 800 grade, seven in Rs. 700, ten in Rs. 600, thirty-six in Rs. 500, and fifty-two in Rs. 400. Do you think that that gives a fair chance to a well-educated member to rise to the top grade within a reasonable time, say 15 years?—I think not.

43799. Or even 20 years?—I think no man has risen to the top grade in 20 years.

43800. What changes would you suggest?—A larger number of upper class appointments.

43801. You say that the best knowledge of Law is acquired by self-study and observation in after-life, and I believe it was for that reason you suggested that the standard of the departmental examination for the Civilian should be raised. Is that so?—My suggestion is that the examination should be of a standard similar to that of the LL.B. examination. That is only the initial knowledge of Law required to begin with.

43802. Would you not extend the same privilege to a Deputy Collector, raise the standard of his examination, and make him eligible for a Judgeship?—I have suggested that a Deputy Collector should be an LL.B.

43803. Would you not raise the standard of the departmental examination and make him eligible for a Judgeship instead of imposing the condition that he should be an LL.B.?—My own impression is that the departmental examination is necessary for only special subjects and does not embrace a wide knowledge of Law.

43804. You would not extend the same conditions in favour of a Deputy Collector?—It depends upon the examination.

43805. If the examination is satisfactory would you accept it?—There must be examination plus experience. I would put no difficulty in the way of a Deputy Collector provided he has a good knowledge of Civil Law such as is required for a Judge's appointment.

43806. At present a member of the Provincial Civil Service does not find a place in the Warrant of Precedence and his status is considered to be rather low. Would you advocate that he should have a place?—He certainly ought to have some place in the Warrant of Precedence and he should have some position in the Service.

43807. That would attract better men into the Service, would it not?—I think so.

43808. And improve the efficiency and the dignity of a provincial officer?—It will give him a better status.

43809. And give him a greater sense of responsibility and position?—It will give him a greater sense of position, but responsibility he has already.

43810. You say that the Deputy Collectors who are the products of the competitive system are more satisfactory than the others?—Yes.

43811. In what way are they more satisfactory?—They have a much better knowledge of Law; the work is better appreciated and I believe the public are much more satisfied.

43812. Was the examination held in Law?—It was.

43813. Do you think that this is the opinion held by the superior officers of the Deputy Collector and his other *confrères*?—I cannot say what opinion his superiors have.

43814. Would you admit non-graduate barristers to the Provincial Service in order to get more lawyers?—There are non-graduate barristers now, but that is going to become a matter of the past.

43815. I mean the present men who have shown aptitude for Law and who are successful in their profession?—If they are good men I should have no objection.

43816. You say that there are some very good lawyers who are not successful pleaders?—I did not say that. Amongst the successful practitioners there are of course good lawyers, but there are many good lawyers who have yet to attain success. They get more practice whenever a vacancy occurs. Amongst those who have not a large practice there are several very good men indeed.

(The witness withdrew.)

WILLIAM SINCLAIR MARRIS, ESQ., I.C.S., Collector of Aligarh.

Written answers relating to the Indian Civil Service.

43817. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The experience of a successful candidate, and of 16 years' membership of a Service so recruited.

2. With the reservations implied in answers to questions (2), (3), 5, and 6 I accept it as generally satisfactory in principle. Obviously a competitive literary examination is in itself a defective instrument for detecting many of the qualities required in a great public service administering an Eastern dependency. But supposing that you can predicate a certain fairly high average quality in the material, then it is no bad way of selection. Indeed it may very well be the best. I believe there are great advantages in being catholic and democratic, in flinging the net wide, and in taking men from Glasgow and Natal as well as from Eton and Oxford: and no other system seems to do this as surely as the competitive one. I think myself that the antecedent assumption can be made: that is, I believe that the general level of physique, intelligence, courage, energy, and integrity is high enough among the middle-class boys who take the examination, for the system to yield good results. I should think that two-thirds of the English Indian Civil Service recruits I have known were satisfactory, and that one-half of the remaining one-third have become so under the formative influence of responsible work.

43818. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The matters of age and probation are dealt with elsewhere.

I think something might well be done to add more of the element of selection without destroying the catholic character of the examination.

(i) I would make all men going up send in their names a year before. I would require their masters and tutors to furnish, not routine certificates which are usually a farce, but answers to fairly searching questions as to the candidate's antecedents, character, and school or university career. If the answers disclosed reasonable doubts as to the candidate's suitability, or if for any other reason they saw fit to do so, I would have the Civil Service Commissioners interview him, and if they saw fit reject him as unsuitable, without giving reasons. Rejection might be hard on the individual, but the result would speedily be that only the right sort of men would come up. Rejections at even the rate of say 5 per cent. would probably keep out the really undesirables, who are rare, and raise the status of the examination without really impairing its democratic character.

(ii) I think also some selection might well be applied at the end of the list. There is nothing like the same educational difference between No. 50 and No. 70, or No. 80 and No. 100, as there is between No. 1 and No. 20. If there are 60 vacancies, let 50 go by competition, and let the Secretary of State select the remaining 10 from among the next 50 unsuccessful candidates, giving precedence as far as possible to those who have traditional or family connections with India, or failing India with other forms of the public service.

43819. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is emphatically less well suited to the Native of India than to the European. The reasons are largely those given in answer to question (27). First of all Englishmen of the middle class are homogeneous and Indians are not. Results are

stable in one case; erratic in the other. Secondly, capacity to acquire the literary knowledge which leads to success in the examination is very often in India the attribute of the classes and castes who lack nearly all the other aptitudes for administrative work. The system as applied to Indians is in truth a complete failure.

2. I can think of only one sound method, and that is one of selection by responsible authority in India at an early age from boys of good race and special promise. The scheme would be roughly as follows :—

i. Take the average number of places secured by Indians in the Indian Civil Service for the last ten years (I have no figures, but take it as 5).

ii. Increase it for the time being by 50 per cent. (i.e. to 7 and 8 in alternate years) and fix that for the next ten years as the number of places annually reserved for Indians in the Service, with power to reconsider it at the end of that time on the results then attained.

iii. Give the original power of nomination to Commissioners, and reduce it by selections by Heads of provinces and final selection by a Committee of the Government of India, to 30. Selections should be at the absolute discretion of the Government and there should be no artificial rules allotting places to special races or communities.

iv. Establish a special college for these 30 boys to enter at 14, or possibly special classes at a Chiefs' College or Taluqdari school, under continuous English training both in class or in residence, till the boys are 18; and give scholarships to those who need them.

v. Then after a stiff qualifying examination have a final selection by the Government of India.

vi. Send the selected one-fourth home for a three years' university career at home with good scholarships, to be refunded in case of failure to take a pass degree, and to pass the final qualifying examination.

vii. Offer to the remaining three-fourths, appointments in the Provincial Service.

The scheme is costly and undemocratic. But it avoids the evils of the existing system, viz. the admission of bad material, the lack of good preliminary training, and the disappointing results which ensue from sending boys to England to struggle against the dangers of strange environment, inadequate means, uncertain prospects, and lack of control. Youths so trained would enter the University with sound training and assured prospects, and would be in a position to benefit properly by residence there.

43820. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—So far as natural-born subjects of *European extraction* are concerned, there is theoretically much to be said for making entry to the Service easier for Canadians, South Africans, &c., by holding local examinations in the Dominions. It is a logical outcome of the perceptible movement throughout the Empire to share in concerns which are at present left to England only: and it certainly would do the Dominions much good. But seeing that (i) Rhodes' scholarships have done something already to meet this need, (ii) the opportunity is ill chosen for advocating the increased admission of "Colonials" to India; I would decidedly leave the question for the Dominions to raise. Canada I believe is likely to do so soon.

43821. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.—The combination is distinctly bad for India. In the old days when the examinations were separate, the reputation of the Indian Civil Service examination stood very high, higher than the Home Civil Service examination. It was considered the most difficult open examination in the world, and men were attracted by its very reputation. But more important is the fact that they deliberately went up for it with an Indian career in view, or at all events if they wished to have a choice they had to face two different examinations.

The effect of combining the two has been to lower the prestige of the examination; and to catch for India a number of men who have desired the Home Civil Service, and not passed high enough to get it. That result is doubly bad. It gives India men who come to her unwillingly, and it encourages the impression that the Home Civil men are better than the Indian Civil men.

It may be that they are better. The work out here is incomparably higher than that of the ordinary Civil Servant at home; but other reasons may make men prefer to serve at home. Many people say that English youths are losing their enterprise. However that be, it seems certain that (i) the decay of old amenities, (ii) the great rise in prices, (iii) the restriction of initiative and power, (iv) increased open criticism in press and Parliament, are reacting on the quality of recruits for India. But if our men are worse than the Home men, that is surely a misfortune, because they ought to be better. Some of the causes at work may be inevitable. But anyhow it is unwise to add to their effect in the way that the joint examination does.

We can count on one abiding attraction of Indian service. The work will always be of a higher order than most alternative careers in England: and even as it gets more difficult and delicate—as it will do—one may hope that the enhanced difficulty will still appeal to the right sort of men. India does not need the men who would rather have stayed at home if they could. But the men who have made up their mind to an Indian career have no need for a joint examination. A separate Indian examination suffices for them: it will also, I fancy, do something to turn their thoughts earlier to an Indian career. On all grounds the Indian examination should be separate. Rather than combine the examinations I would rule that no one who takes the Home Civil Service examination shall sit also for the Indian Civil Service.

43822. (6) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of

the following principles:—*(a)* Selection by headmasters of schools approved or otherwise: *(b)* Selection by authorities in Universities approved or otherwise: *(c)* Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: *(d)* Combined nomination and examination: *(e)* Any other method?—I profoundly distrust all those suggested in *(a)* to *(c)*. Schoolmasters and tutors are not always the best judges of character: it would be unwise to give them such important powers.

(d) Is theoretically good and I believe it works well in practice for the Navy. But my own fear would be that it would exclude a certain leaven of candidates outside the smooth-worn public school and university grooves who, under the training of India, not only make excellent servants, but add a distinct and valuable element to the Service as a whole. I would prefer *(e)* the existing system slightly modified as proposed in answer to question (2).

43823. (7) What is your opinion regarding a system of simultaneous examination in India and in England open in both cases to all natural-born subjects of His Majesty?—Even if natural-born subjects of European descent and Natives of India only are meant, I look on the proposal as fatal to the true interests of India. The reasons conclusively against the proposal to my mind are briefly:—

(i) Competition is the worst possible way of selecting Indians for high service. It secures chiefly servants of unsuitable antecedents and origin, and excludes servants of suitable type..

(ii) It will lead to a great reduction of the European element in the Service, and in my belief it will reduce that element below the minimum for upright, and efficient, and impartial government.

(iii) The extended admission of Natives of India by examination to high offices would be unpopular with the largest section of the people themselves.

(iv) The future of India depends on the judicious co-operation of English and Indians in the Service. The determination of the strength of the two elements should be the deliberate act of Government and not left to the chances of the examination room.

(v) Education in India is already poisoned by the commercial value set on its results. The proposal would enormously increase this mischief. The prize is so great that anything resembling sound education in the higher institutions would be sacrificed remorselessly to success in the examination. That is to say, colleges and universities would cram far more avidly than they do now: and new colleges of a lower standard than those existing would spring up for the very purpose of preparing pupils. I have in mind a college of good type of which I have seen something. If the authorities thought there was a chance of securing one or two places every year in the Indian Civil Service for their students at a local examination, that would be the utter destruction of such sound education as is already attained there.

43824. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—As regards candidates of European descent, vide answer to question (4).

I am against any simultaneous examination which would be held in India. But if ever such a decision should be taken, I would certainly endeavour to mitigate the evils of it so far as possible by holding the examination also in Toronto, Pretoria, Sydney, and Wellington.

43825. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—In answer to question (3) I have suggested some temporary limits. They should be revised at the discretion of the Government of India from time to time. But I do not at all recommend recruitment by *examination* in India therefor. (i) The system is open to many of the inherent objections which can be taken to the present system of examination. Competition, as I have already suggested, will never give as good results in India as in England, or as good results as we can get in India by other methods. (ii) The evils of the going home system would indeed be avoided, but it would obviously be at the expense of status. The Allahabad or Nagpur recruited candidate will never have the prestige even of his fellow Indian who has been home to Cambridge.

43826. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—The answer to (*a*), (*b*), and (*c*) will be found in answer to question (3).

In particular I consider it fatal to lay down any rule that all classes and communities should be represented. This is exactly the kind of proposal which trenches on the wise prerogative of Government; it turns what ought to be administrative acts into subjects for pleaders' speeches, and incidentally it throws into the arena of public discussion, the very things that ought to be decently secluded, with the result that race and party feelings are vehemently and needlessly embittered. Every such tying of its own hands in this way by Government is a short-sighted blunder. It avoids a minor difficulty by creating a greater. The more limitations of the sort that are included in the scheme of government, the worse is the result. There is a working example of the badness of such a rule in the unwritten practice that dictates the formation of a Canadian ministry. Everyone knows it is a bad system that gives ridiculous results, but once started it cannot be got rid of.

43827. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do

you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—The competitive system as applied to India gives such poor results that I think all Indian recruits should be obtained by selection and training in India, and that the open competition should be restricted to other natural-born servants of His Majesty *of European descent.*

43828. (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—I regard it as supplementary only. The listed posts arrangement is very useful for the reward of special merit in public servants of a lower status.

43829. (13) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I suggest no separate system of recruitment. The Judicial branch has incurred much criticism for the inadequacy of its legal knowledge. Such criticism has come chiefly from persons whose disinterestedness is at least suspect; and it is exaggerated. I should think it doubtful whether any statistical examination of appeal results by the Public Service Commission would disclose any inferiority of the judicial work of Indian Civil Service officers as compared with that of either Indian Judges, or Barrister and Pleader Judges. But undoubtedly knowledge of law is not so strong as it might be and steps should be taken to improve it.

But what the professional critics overlook is the fact that legal knowledge itself is no more than a part of the mental training which the efficient judicial officer in India must have. Therefore for the English element in the judicial service some years' experience of general work of the country is an essential preliminary. No Indian Civil Service officer can be a good judge unless he has been an executive officer first.

Separate recruitment would (i) apparently deprive the judicial men of practical knowledge of the country, (ii) convert them into a body apart from the rest of the Service from the very outset, (iii) tend to throw executive and judicial into the state of antagonism which appears to exist in Bengal but does not appreciably impede sound administration in other provinces of India.

43830. (14) Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.—The definition avoids the great practical difficulty of discriminating between the Eurasian on the one hand and the Indian or the European born in India of domiciled parents on the other. I think the advantages of avoiding such difficult questions outweigh the sentimental objection which is urged against the definition. There are certainly practical hardships about the position of pure Europeans in the provincial service, (*e.g.* a young married English Deputy Collector has a hard struggle to live decently and honestly on Rs. 250,) but these consequences do not appear to flow chiefly from the definition.

43831. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I think that the school-leaving candidate is too young and the University-leaving candidate is too old, and that the intermediate candidate should be attracted.

Public opinion in England accepts a five or six years' public school course and a four years' university course as the full educational career of cultured youth. The finished product is then 22 or 23 years old and ready to set at once about his ordinary profession—the Bar, Church, Home, Civil, letters or teaching. But for India we try vainly to pile up on this Pelion a double Ossa of one year's probation at home and two years' further probation in India. The year of home probation is too short for useful work: indeed it is largely wasted: and the two years' probation out here falls heavily on men too old for further schooling. We are defeating our own object.

Doubtless some special training is required for Indian service. But other services, the Army and the Navy, which need it, frankly forego a University career in whole or part. We must forego it too. And personally I believe it can be foregone in part without any undue sacrifice at all, provided the university and public schools will look at the public needs in a sensible way.

There is valuable time wasted now in a boy's last year at school, between his University scholarship examination and his going up to the university. There is more time still wasted at the university itself. At Oxford many men could take Mods., if they were allowed to, in their first year, and Greats in their third. Suppose a boy is born in July 1894. He could leave school at 18 in July 1912, take his degree in June 1915 and after two years' probation come out in October 1917 at a little over 23 years of age. This should be the most favourable case of all. I mean the one in which the fullest concession was made to the claims of university culture, as opposed to those of the public need. If a boy cannot go up till he is 19 he ought to have to take his Indian Civil Service examination after two years at the University, and be content to forego his honours degree.

The age-limits I propose for the examination are from over 19 to under 21, to be reckoned not from January 1st preceding the August

examination (which involves more waste of time) but from July 1st preceding it. With two years' probation that will bring men out at 23½ at the outside. It is a year older than I would like to fix, but it is far better than 25½.

43832. (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation) ?—I do not think it can be said that there is any perceptible difference of merits between one class and the other. I do think that the men who come out late labour under a heavy handicap compared with their fortunate predecessors, and that the handicap is getting heavier and tending to depress the latest-joined men. But taking the list as a whole I think difference of merits is seen to be chiefly a matter of individual qualities.

43833. (17) What is your opinion regarding the suitability of recent recruits to the Indian Civil Service ?—It is frequently said that nowadays recruits are not as good as their predecessors. Good authority can be quoted for this opinion but against it also.

Personally I have seen too few of the recent men to offer any confident opinion. But I have discussed the subject with those who have, and find that those who believe in such deterioration cannot give definite reasons; while others maintain stoutly that the men who came out were always uneven and that in status, energy, and ability there is no general falling-off.

I think myself that some difference of tone is discernible among the younger men. But that may be more a matter of changing conditions than of changed conditions having yet actually produced changed material. The men coming out now are older than ever. They are more full of regrets at leaving Home. They find living expensive. They hear talk of blocks in promotion and continuously diminishing opportunities. They learn that the Indian Civil Service instead of being regarded as the one Service above reproach, is constantly criticised in the press and politics and casual books. Altogether they enter on Indian life under relatively depressing conditions : and some of them show that they feel this. I think the men are not worse, but they are certainly too old and not adaptable enough, at the very time when adaptability is essential.

43834. (18) What is the most suitable age at which junior Civilians should arrive in India ?—From 21 to 22. Beyond that age they are too old and set to accept readily the comparative lack of the amenities of life, the irksomeness of new surroundings, and the further inevitable period of probation and enforced subordination. If a man comes out at 25½, he may be still passing examinations and in a semi-pupillary stage till he is nearly 27, which is far too long. A man should be in charge of a sub-division at 24, and an experienced Joint Magistrate at 27.

43835. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons ? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty ?—If the question contemplates the interest of the individual candidate, the answer is that a later age (21—23) undoubtedly suits the Native best because it gives him longer preparation and a better chance. But because the Native (i) matures intellectually and physically much quicker than the Englishman and (ii) passes from active youth into relatively inert middle age much quicker than the Englishman, the interests of the Administration clearly point to getting him to work at an earlier age than the latter. I do not think however there are sufficient grounds for a discrimination, which however sound in itself would be misrepresented as an attempt to handicap the Native.

43836. (20) On what principle should the subjects for the open competitive examination be fixed ? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period ?—I accept the principle: but I think it rather a counsel of perfection for which we make candidates pay too heavily afterwards in an over prolonged course of after study.

I am certainly not in the least in favour of setting special subjects that would be useful technically in Indian work (*e.g.*, Tenant systems, Indian vernaculars, or Indian Penal Code). But without departing unduly from the ideal of catholicity and culture I think we could do something to lighten the after-burdens.

A man who contemplates an Indian career is going to concern himself (apart from the special technical knowledge which I have set aside) with a certain kind of work all his life, *viz.*, the administration of public affairs. It is surely reasonable to expect men who contemplate such work to be interested in it and to have their minds naturally trained to it. The matters of study which are the natural basis for such work are ancient History, English History, Political Science, Jurisprudence, and Political Economy. None of these in my opinion is a narrow technical subject. They are all essential to a liberal education in the best sense of the term. They blend well together and all help each other. They represent a solid knowledge of the kind which no administrator ought to lack. I can see no hardship nor unfairness and much advantage in making them compulsory at the open examination. This is a better plan than arriving indirectly at the same result by over-loading them with heavy marks to make candidates take them.

43837. (21) Please examine the table in appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable,

differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age.—If, as I suggest, the candidate should be attracted at something short of the University-leaving age, there should be a corresponding modification in the syllabus for the examination. I cannot suggest the actual details.

43838. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—If one examination is maintained for both classes of candidates, there should be no differentiation of subjects.

43839. (23) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as appendices II and III to these questions]?—I consider the reservation of certain posts necessary for the reason that the qualities required for the efficient discharge of the duties pertaining to them are not to be found in India outside the Civil Service.

I consider the Schedule to the Act of 1861 is generally suitable, and that the Act of 1871 makes sufficient provision for the admission of Natives outside the Service to these posts.

43840. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Yes. It depends entirely on the kind of Native of India who gets in under the particular system adopted. Under the present system, which I look on as a bad one, the number of Natives admitted is possibly excessive. But if, as I believe, we could get the right sort of men by adopting the right system, I would raise the number now entering by 50 per cent. at once. Perhaps that would represent a proportion of 7½ per cent.: and I would increase this further, exactly in proportion as the results justified. I do not think any authority can forecast the rate of progress accurately enough to justify a definite pledge or programme: and to attempt to do so, by way of conciliating Indian sentiment, will simply land the Government in difficulties hereafter.

43841. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I am against continuing the competitive examination for Natives of India. Otherwise I agree.

43842. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—Nobody is very well satisfied either with the Statutory Civilians' intermediate status: or with the generally mediocre character of their work. The arrangement was an attempt to carry out the intentions of the Act of 1870, *i.e.*, to admit suitable Natives to high office by nomination. But the one sure basis for a system of nomination, *viz.*, approved service in the lower ranks, was deliberately rejected: and selecting authorities were left with no better guidance than a direction to secure "young men of good family and social position, possessed of fair abilities and education, to whom the offices open to them in the inferior ranks or in the uncovenanted service have not proved a sufficient inducement." This is a very unsatisfactory criterion. Moreover there was no training before appointment and it was soon seen that the guarantees of ability and education had failed. The scheme is discredited and should not be revived.

43843. (29) What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—I remember a few old military civilians in Oudh and Kumaun. (There were one or two non-military officers also serving in Oudh whom I never met.) I have seen something of the work of military civilians in the Punjab, Burma, Assam, and the Political department, in the course of service in the Home Department Secretariat to which their work frequently came up. I have also worked with temporarily employed military officers on famine and plague duty: and have had a probationary military officer for the Political department posted under me for training.

43844. (31) If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—I should not advise its re-introduction in any part of the United Provinces.

43845. (32) Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—I take the question to mean—should mixed commissions be composed of (*a*) Indian Civil Service and military civilians only, or (*b*) Indian Civil Service and military civilians, and selected officers of other Indian services. I think they should be composed as in (*a*). Of course you may get born administrators here and there in any service—the Medical or the Police or the Public Works department, but there is no sufficient reason for opening a mixed

Commission to any of these. The reason for habitually including the soldier is that in unsettled tracts the businesses of peace and war lie close together.

43846. (37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—*(a)* to the members of the Provincial Civil Service; and *(b)* to the public interested in this question; and what advantages, if any, does this arrangement possess?—I do not think it is a burning question with either Deputy Collectors or the public. The great majority of both have never heard of it.

I imagine that the advantages of the arrangement are that it avoids the confusion and awkwardness that would be caused in districts if instead of having say *(a)* one Joint Magistrate and *(b)* five Deputy Collectors, we had—

(*a*) one Joint Magistrate, a European Indian Civil Service man,

(*b*) one Joint Magistrate, a promoted Deputy Collector holding a listed post, indistinguishable from—

(*c*) four Deputy Collectors as regards origin, duties, and prestige, but yet superior to them in pay and in rank.

It was an attempt to avoid needless distinctions of status which correspond to no real distinctions of value.

43847. (38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—I see no great scope for alterations. I would like to improve the prospects of the Provincial Service, but judging from the senior men in it whom I know I doubt if many are fit for districts.

43848. (41) Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same?—I know of none.

43849. (42) Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—I have written enough about the unsuitability of the competitive examination for Natives and the poor results achieved. I would like to add a few words about the view which public opinion here generally takes of the question.

The Commission has received a volume of evidence as to the desire of a large section of educated opinion for a larger share in the higher posts. That very natural and strong desire exists. But the fact of its existence and the disappointment that will be caused if inflated hopes are not indulged is no good reason for satisfying it if it is really unsound. The claim is that of the educated and vocal classes. They wish their boys to share the power and the income of the Service, and specially the income. But there is a great volume of unheard opinion which wishes no such thing. The people of these provinces, beyond a limited circle, simply do not want more Indian Collectors and Judges. The proof is two-fold; and the manner of its production shows that it is perfectly genuine and sincere, and not the *khush-amadi* which it has been suggested to be during the cross-examination of witnesses before the Commission. It is not evidence produced *ad hoc*, for it existed before the Commission was appointed.

(i) It is every District Officer's and Joint Magistrate's experience that whenever a real injury is felt—when a tenant is wronged by a landlord or oppression is practised by an official subordinate, or a quarrel breaks out between castes or factions, the appeal is made—"Huzur khud tahqiqat farmaen. Kisi Hindustani hakim ke zariye se tahqiqat na farmawen." The real public wish is for an independent inquiry, and they do not expect that from any but an Englishman.

(ii) When a junior Indian member of the Indian Civil Service is appointed to a district, especially if there are Indian gentleman of position in it, there is a feeling of dismay. Neither the district staff nor the people like such an appointment. I have known old subordinate officials deliberately try to slight the new officer and make it plain to him that he is not a real hakim; and I have seen Indian gentlemen of position, while keeping within the limits of courtesy, yet making it perfectly plain that they admitted his official status with reluctance. Within the past month the remark was made to me by an Indian observer of good position beyond these provinces, that out of the ten or twelve Native Indian Civil Service men in the province, there was only one who would be regarded by Indians of position as fitted by birth and status for the office he holds.

My conclusion is that there is no general desire for the kind of Indian official whom we have been getting hitherto; that the competitive system is the wrong one for the country; and that the successful admission of Indians into a larger share of the Government, which I genuinely desire, depends on discarding it wholly and finding some better way.

43850. (43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I recommend probation in England. Results in my time were poor. I do not believe they have improved since. But I think that the system should be maintained and its defects eliminated.

43851. (44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—Two years. One year is too short for the work to be done which should be. The result is that too much has to be done afterwards in India.

43852. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Saving what is said in reply to question (49), yes.

43853. (46) If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Yes; more than one. (i) It is the only way of securing sound tuition in most of the subjects required and (ii) for some candidates it will be the only

University career they will get, and a little is better than none.

43854. (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Certainly; £200 a year: payable at the end of each year on passing an examination. Two examinations should suffice.

43855. (48) If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—I think the course of study should be the same in any case, and that it (and not the question of residence at an approved University) should be the deciding consideration.

43856. (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I think this is the best course on all grounds. The chief needs are:—(i) to restore the prestige and tone and *esprit de corps* of the Service, (ii) to get men to do more work in England.

At the University men are still broken up into their old groups and cliques. They develop little interest in each other, or the Service, or India. Their lecturers have almost an apologetic air in inviting them to descend from the high planes of Greats or the Tripos to con simple stories about Akbar and Nushirwan. In consequence men do not and will not work at the University. They consider they are there to have a last good year before plunging into rather dull exile. They cram for their Final in a desperate hurry at the last moment. It is a bad preparation for India in every way.

At a generously equipped College men would live together, discuss India, and feel themselves a Service. They would get systematic lectures, not merely on law and language, but on the life and customs and economics of the country. They would be taught to ride and survey and something about agriculture. They would do twice the work, because there would be no distractions but a common interest and emulation.

43857. (50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854 that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—*(a)* Yes. *(b)* Yes.

43858. (51) Please examine the statement printed as appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—Under any system the most important things for the probationer to learn are—

(*a*) language, (*b*) law, (*c*) revenue system,

(*a*) His province and not merely his presidency should be fixed when he goes to the special college, so that he may know what language he will have to speak. He should learn that vernacular and the classical language that is nearest of kin to it (for Urdu, either Persian or Sanskrit).

(*b*) Under law he should learn (i) the law of evidence, (ii) the law of India, Indian Penal Code, Criminal Procedure Code, Code of Civil Procedure, and a little Muhammadan and Hindu law.

(*c*) Under this head he should learn no Acts or regulations as such, but the outlines of the system, nature of tenant rights, character of record of rights, outline of revenue system, broad facts of Indian agriculture, and economics. (Moreland's book is nearly the ideal.)

This is deliberately a restricted course, but the candidate should have much more than a smattering of the things he has studied. In languages the standard should be that of the High Standard in Persian (easily attainable after 2 years' work) and in law that of the present High Standard departmental examination.

43859. (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of *(a)* Indian Geography, (*b*) Political Economy, *(d)* Accounts.—(i) Reporting of simple cases is useful, but it is greatly overdone in Appendix VI. To report jury cases and Privy Council cases is unnecessary. A little reporting of police and county court cases should be followed by a good deal of reading and re-trying actual assault, burglary, rent, ejectment, and enhancement cases sent from India. This is the best training of all.

(ii) *Omit* general principles of jurisprudence from the probation period. That should come before.

(iii) Certainly include colloquial instruction and employ good munshis.

(iv) Most decidedly omit all these. It is useless to teach Indian Geography to people who will not learn it for themselves. Political Economy, like jurisprudence, should come in earlier. Accounts should not be studied either on probation or at any other time.

43860. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England because (i) it is the only place where satisfactory teaching can be obtained, (ii) it is emphatically desirable to end the tuitionary business as far as possible before coming to India.

43861. (55) What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—*Vide* answer to (53). The object is to have done with class-room instruction in India as far as possible.

43862. (56) In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental

languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—No. I think they are all well taken objections.

43863. (57) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—The same as for the English candidates recruited. The Indian men also should do 2 years at a special college. This will do more than anything to make both classes of candidates feel that they are fellow servants.

43864. (58) In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—In England, *vide* answer to (57).

43865. (59) Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—No.

43866. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I am far from being satisfied with them. The actual training in districts is casual and the departmental examinations are burdensome and almost profitless. For the latter point vide answer to (61).

The training consists in sending new-joined assistants to some fairly comfortable district, where the Collector is supposed to look after them, take them out in camp, explain things to them, let them watch him at work, see that they read their law and language, and as they feel their feet, give them easy case work and inspection work and office work to do. I have had in 2½ years 5 junior officers sent to me for training.

No Collector who is doing his own day's work can possibly give the time that he ought to give to such a task. He may realize its importance: he may believe that the assistant's future career will be largely moulded by the views he takes of his work at the outset: and yet his own duties are so heavy that he cannot do justice to them and at the same time expound them to an onlooker, find out the latter's difficulties, and do his best to remove them. The new man may learn a good deal in his first camping season, about things in general: he does not learn details as he would if some one had time to teach him.

A better teacher of details than the Collector who is largely occupied with things that will not concern the recruit for 8 or 10 years) would be the experienced Joint Magistrate. The best plan would be to divide the year's batch of recruits among two or three selected Joint Magistrates who should each (i) be given a light charge so as to allow him leisure to demonstrate, (ii) be held responsible for the recruit's progress during his first six months. (Men should come out rather earlier than they do, not later than October.) He would have 2 or 3 young men attached to him, possibly even 4, and would take them about together in camp. They would be far happier living together than alone with a senior man, and they would instruct and help each other.

43867. (61) Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—The system, though better than 16 years ago, is bad. If the probationary training at home were thorough, the Indian Penal Code, Code of Civil Procedure and the Evidence Act could probably be dispensed with. It is perfectly useless to make men learn the texts of the General Clauses Act, Whipping Act, Gambling Act, and Village Police Acts.

In revenue, the Rent Act of one part of the province should suffice. It is confusing to require two: and no candidate can understand the Act which is not in force in his district. Practical work, *e.g.* inspection of a tahsil or local inquiry in some disputed mutation case should be required.

Book knowledge of Excise and Stamps is at once forgotten. A certificate of holding charge successfully and a practical *vivâ voce* examination should be substituted.

The book work in police is useless. Substitute a paper on thana-work: a police investigation to criticise: or a thana to inspect under the eye of the Deputy Inspector-General. I would like to abandon Treasury and Accounts as an examination subject altogether. Knowledge of the Civil Account Code and the Civil Service Regulations come only by working them.

Urdu and Hindi.—These should be stiffened and made the chief items in the examination. Men do not read or write Urdu with anything like reasonable facility. But proficiency is simply a question of practice. It cannot be attained so long as a candidate has a lot of other heavy subjects, but by concentrating chiefly on the language, it could be. The whole departmental examination, instead of being an examination in the medium of English, with set lapses into the vernacular, should be a practical examination conducted chiefly in the vernacular.

Civil Law.—This is a new subject. The only part in it I think of value is the Hindu and Muhammadan Law.

43868. (62) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—Yes, gradual but undoubted. The older generations probably had facilities which an austerer age does not encourage. But in recent times immediate causes of deterioration are—

(i) inferior training at home:

(ii) crowding out of languages in the departmental course by less important subjects:
(iii) cessation of the study of the classical languages:
(iv) general increase of work:
(v) great increase in the general knowledge of English.

I am perfectly satisfied that very few Indian Civil Service men attain reasonable proficiency. It is a matter of vast importance, because it is the basis of all other useful proficiency. Every District Officer should be able, without effort and correctly,—

(i) to read his Urdu correspondence and to answer it in Urdu:
(ii) to read petitions and office noting:
(iii) to check accounts and calculations in Urdu:
(iv) to cross-examine village witnesses himself:
(v) to conduct an ordinary meeting in Urdu:
(vi) to make a simple, but connected speech in Urdu at a public meeting.

It can be done easily enough if Government will (i) show clearly that they mean to insist on in it, (ii) give men time to do it, by easing their shoulders of the Treasury and Excise and Stamps and Law of Limitation, &c., that get in the way now.

No man should ever be confirmed as Joint Magistrate till he had passed a searching practical test in the language.

43869. (63) Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—What is chiefly wanted is the practical working of the vernaculars. For this, the higher classical examinations are not much use. Certainly the examinations attract few men now, and may be regarded as a failure on that ground.

I have read the books for the Higher Proficiency Urdu. They are appallingly artificial, lifeless, stilted things, calculated to repel anyone but the most patient. The Persian and Arabic courses were reformed some years ago, but apparently no one could suggest any sensible course of reading in the higher Urdu. If men had a better initial grip of the languages they would probably go further with them.

43870. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and, what conditions do you propose?—I should treat all alike up to the point of bifurcation: and rely for improvement on two years' good study during probation at home. For the Judicial branch I would have a special study leave with an examination to pass at the end of it. I cannot form any opinion as to the details.

43871. (65) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No. Study should be in England. Teaching is better and prestige is higher.

43872. (66) Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Yes: but I am not familiar with the matter and cannot give details.

43873. (67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No: a satisfactory standard should be exacted by training and qualifying examination.

43874. (68) Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No. Treat all alike. Any differentiation tends to disintegrate the Service.

43875. (69) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.—As for the English candidates recruited by examination.

43876. (70) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.—No. Certainly not.

43877. (71) Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.—To sum up:—probation should be theoretical in England and practical in India. So far as possible, book study should cease on arrival in India. Training out here should take the form of seeing things done and trying to do them under advice and supervision. An hour of local investigation by an Assistant Magistrate alone in a village is worth a day of textual study or hearing papers read.

Language is the one thing that matters. It is bad now, chiefly because too many burdens are put on a candidate's back in the vain hope of making him perfect. The remedy is to concentrate on the important things, and those are (i) language, (ii) law, (iii) revenue system: but the greatest of these, because it includes the other two, is language.

Two years of honest work in England, instead of a year's idling, and less departmentalism in the departmental examination, and there should be nothing to complain of.

43878. (72) The present theory underlying the conditions of service in the Indian Civil Service is that—*(a)* the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and *(b)* that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To

secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—Yes. Yes, suitable. None.

43879. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—Yes, suitable.

43880. (85) Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—Yes.

43881. (86) State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?—I think that more accurate results are not likely to be attained by adopting any other principle. I fancy that occasional causes of which no account can be taken in any scheme will always affect casualties sufficiently to make the rate of promotion oscillate, and that the best calculations can only indicate the half way point between two extremes.

43882. (87) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Both topics, in spite of much discussion, have hitherto defied accurate regulation and are likely to defy it. In the long run the decision will depend always on the personal equation.

It is easy to defend the general proposition that promotion by seniority should be the rule in the lower ranks, and that strict selection should be applied to special posts and high office. But it is difficult to make practical proposals of any value. Selection is the rule already for special posts, and there is no complaint about the system or its working. No one alleges favouritism or intrigue when a junior man goes up. If there is a complaint it is that selection is not applied sufficiently to the higher grade posts, such as Commissionerships and Collectorships. But in any given case the decision must depend on the Government's knowledge of its men and the extent to which it is prepared to act on its opinion. I should expect to hear that there was more toleration of mediocrity under Council Government than under a Lieutenant-Governor or Chief Commissioner.

The really incompetent are very few. Theoretically they ought no doubt to be retired on a reduced pension, just as if they were physically instead of intellectually ill. But to declare a man stupid involves more of a slur than to declare him sick: and also the one fact is harder to prove than the other. Whatever injunctions are laid down, there will always be a human leaning towards giving the interests of the individual precedence over those of the administration in such cases.

Officers of the Indian Civil Service can be removed only by the orders of the Secretary of State. To satisfy him, there must be some regular proceeding in which definite acts of incompetence are alleged, and an explanation taken and a finding recorded. All this is difficult in application.

But I think the whole question as applied to the Indian Civil Service is of minor importance. The Government has sufficient other weapons if it will use them.

43883. (88) To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable, and if so, in what directions?—I have not renewed my acquaintance with this veteran topic for nine years, which affords some ground for thinking that it is not a burning question in this part of the country.

The exhaustive inquiry made by Lord Curzon's Government showed, I believe, that actual abuses were extremely few and due rather to the eccentricities of individuals than to the system, while the expense of separation would be enormous. I should think these conclusions stand. The practical division of authority is well understood. District Magistrates do not use their judicial powers to enforce executive orders; or use their executive authority to impair the judicial discretion of Deputy Magistrates. Deputies are more likely to acquit in excess if they have an acquitting Sessions Judge, than to convict to excess to please the District Magistrate because he controls the police. District Magistrates rarely try cases themselves at all; they have too much else to do. Very often they do not even hear appeals in 2nd and 3rd class cases but make them over to an empowered Deputy Magistrate. In a district like this I can see no argument of sound value against such combination of powers as does exist.

On the other hand there are good reasons for it.

(i) It is well for a District Magistrate to be able, if he wishes, to judge of his policemen's work as a Magistrate.

(ii) Only the District Magistrate is really in a position to keep Honorary Magistrates up to the mark, and to control prosecutions in municipal, sanitary, hackney carriage cases, &c.

(iii) No one but the District Magistrate, who is responsible for the peace of the district, can properly hear *badmashi* appeals.

(iv) The chief executive officer must have magisterial powers for many miscellaneous purposes, such as J. P. work, inquests, riots, gaol inquiries, extraditions, &c.

Division of functions means a further attenuation of personal authority, and a further acceleration of the rule of law and law courts and pleaders. The latter process is proceeding at a faster rate, I think, than is good for the country.

43884. (89) Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension?—Some mistaken people want to abolish—

(a) the title of Collector in favour of Deputy Commissioner or what-not. I am strongly against that.

(b) Collectors and Magistrates are starved in the matter of—

(i) Books. They have no money to spend on law books or useful references.

(ii) Personal assistance. Men in heavy districts should be allowed a shorthand-writer. I should save hours every week (*e.g.* in answering these questions).

(iii) Money for general beneficent purposes, *e.g.*—

(a) Relief of indigence.

(b) Rewards to deserving subordinates.

(c) Small compassionate grants when no gratuity is payable.

(c) We disdain symbolism too much. The country understands it so thoroughly and likes it that it is a pity not to use it.

Every District Magistrate's court house should bear the Royal arms as in courts of justice in England; and every District Officer's house should have a flagstaff just as every political officer's does.

43885. (92) Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The rates are no longer suitable owing to the great rise in prices of the last 20 years.

An Assistant Magistrate should begin on Rs. 500. A Joint Magistrate should not draw less than Rs. 800. No Collector should draw less than Rs. 1,833.

At the present time no one can keep up a Collector's position properly except in a few very small stations under about Rs. 1,100 as a minimum. If a man is married he needs at least Rs. 500 a month for hill or home expenses. That leaves him Rs. 200 to save. By the time a man is a Collector he certainly ought to be saving a little. Many Collectors without having expensive tastes but simply by reason of domestic charges, have not saved a penny.

43886. (93) If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—The pinch is, I imagine, felt chiefly by the men of junior and middle standing. The difference between a Commissioner's expenses and a Collector's is not as the difference between Rs. 3,000 and Rs. 1,666.

43887. (94) Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—Yes. The United Provinces is a province relatively well favoured as regards grading. I think, *e.g.* the Punjab Civilians have a legitimate grievance.

43888. (95) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I think there is no valid objection to treating men who really have home charges differently from others who do not; and that in this view the discrimen is a fair one.

I do not recommend the abolition of the allowance as I feel fairly sure that in that case the result will be that effective salaries will not be raised by the amount which I think they should be. To give a man Rs. 100 in pay and to knock off Rs. 33 in compensation allowance is only giving him two-thirds of what he probably ought to get.

The change if made should apply to new entrants. The principle of respecting vested interests can be carried to excess; but to cut off the allowance from men who draw it would (i) be generally resented and (ii) would disclose an insecurity about conditions of service that would re-act on recruitment.

43889. (96) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—Questions of increase of salary and abolition of exchange compensation allowance should not be confused at all. If a man does not get exchange compensation allowance now there is no reason for compensating him for stopping it. But if his pay is insufficient otherwise, by all means increase it.

43890. (97) How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—Satisfactorily. No. No.

43891. (98) How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?—Satisfactorily. Yes. No.

43892. (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I am opposed to a time-scale in any shape or form. It offers the greatest possible premium to indolence. The existence of grades is a very valuable incentive to effort and a useful weapon in the hands of Government. The existing system is a practical, sensible compromise between the two extremes of pay irrespective of duties (*i.e.* a time-scale) and pay with sole regard to duties (*i.e.* localised pay). A time-scale is suited only to comparatively somnolent services, and I was sorry to see that it was adopted for the political department the other day.

43893. (100) As an alternative do you recommend a system by which each main class of

appointment would have a separate time-scale?—Under no limitations would I adopt a time-scale for the Indian Civil Service.

43894. (101) What is your experience of the practical working of time-scales of pay in other Indian services?—I have seen it at close quarters in (*a*) ministerial services in India, (*b*) [and though it is outside the question] in the Civil Service and railway service of the Transvaal, and at a distance also in (*c*) certain military and medical services in India. It is suited only to services where men expect to go on doing the same sort of work all their lives.

43895. (102) If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive branches of the Service is different?—I recommend no time-scale under any circumstances.

43896. (103) If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—(*a*) I cannot say. (*b*) Yes, certainly.

43897. (104) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—I would certainly pay Statutory Civilians the same as Indian Civil Service men. As regards Provincial men, I would, on the whole, also pay them the same. Inferior pay is interpreted as inferior status and that is not right. Of course they do not as a rule need the pay so much.

(Since this was written two Provincial Service men, whom I consulted, thought that instead of two-thirds they should get three-fourths the Indian Civil Service pay.)

43898. (105) Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—Travelling allowances are technically not salary but sufficiently akin to it to excuse their mention here.

It is notorious that the transfer of even a fairly senior officer from one station to another involves him in heavy pecuniary loss. I think that in Sir Edward Baker's time as Financial Member an unsuccessful attempt was made to redress this. The exigencies of the public service may require that I shall be moved to the other end of the province to-morrow. Why should I be subjected to a loss of Rs. 800 or Rs. 1,000? I certainly cannot afford to lose £50 or £60 as a mere incident of service. Government ought to pay the actual expenses, within certain general limits, of men transferred.

The hands of Government are unduly tied at present in the posting of officers by the knowledge of the hardship caused by sudden or frequent transfers.

43899. (106) Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Men (i) accumulate privilege leave more than they did, (ii) take less long leave on half pay.

The reasons are clear. They are (*a*) increasing financial pressure making leave on half pay difficult to take, (*b*) the change made in 1901 by Lord Curzon's Government enabling privilege leave to be combined with furlough.

This change was a very sound one. Three months' leave on full pay is too short and agitated a period to give relief. Long leave on half pay, except when necessary in case of illness, means something too much like penury to serve as a real holiday. The ideal leave for the average man is six months—three months on full pay, three months on half. Every portion of privilege leave caused has acquired a value since the change, which it did not have before.

43900. (107) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—In about 85 per cent. of cases, yes. Of the rest, 10 per cent. are men in special appointments who forego some of the privilege leave due to them for fear of losing their particular post and the odd 5 per cent. are men who do not seem to value leave particularly. Yes. None.

43901. (108) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No: most men cannot afford to take so much leave on half pay.

The *total* amount of furlough admissible is not excessive. But it is quite unnecessary to let any man in sound health ever take two years' furlough at a time. I would withdraw this permission, limit furlough if taken between March and July to eighteen months and otherwise to one year, and compensate the Service by easier conditions of full pay leave.

43902. (109) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—They are all right for junior men. They penalize the senior man too heavily.

43903. (110) Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—None.

43904. (111) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed

in sterling and in rupees, and if so, what change? —I think the maximum allowance on furlough might be raised to £1,200. Officers on Rs. 4,000 and Rs. 5,000 probably need no special consideration. But it is hard on, say, a Commissioner on Rs. 3,000 (£2,400) that he should not get even half pay whenever he takes more than three months' leave.

43905. (112) Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—The rules as to the amount admissible and the allowances are fair.

There are some pedantic and inconvenient restrictions about special leave. If a man wants to go home urgently on private affairs, he has in 9 cases out of 10 some full pay leave due to him. But it may be only 1½ months or 2 months, too short for his purpose in view. His private affairs may detain him for 4 months or 6 months or 8 months. But according to article 233 (ii) and (iv), Civil Service Regulations, he must not, if he wishes to enjoy the full pay leave due to him in combination with special leave, be absent for a day less or a day more than 6 precise months. Most men take special leave in emergencies, and reasonable leave rules should recognize this and adapt themselves to the individual's requirements.

43906. (113) Generally speaking do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so, what, and what remedy do you suggest?—I think not. I should say that the leave system is worked very successfully with little inconvenience to the Administration and little hardship to officers. There is reasonable give and take both ways.

43907. (114) In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met?—The leave rules in themselves are not so much a cause of excessive transfers as is the tendency of the Secretariat to give senior men on return from leave as good a station as they had before.

43908. (115) Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and if so, in what respect? What is, in your opinion, the appropriate remedy?—Some of the restrictions in section 232, section 233 and section 308, Civil Service Regulations, are harsh. The leave rules should be simpler and fewer.

I think the obvious way of making the leave rules of more value to the Service is to allow—subject to certain limitations—commutation of half-pay leave into half the same amount of leave on full pay. No such commutation is necessary for short periods, *e.g.*, 6 months' furlough need not be commutable to three months' full-pay leave, but a year's furlough should be commutable to 6 months' full-pay leave. Beyond that the alternative should not be allowed. I am sorry to hear that the Government of India have not accepted the Decentralization Commission's proposal to some such effect. Limited as I have suggested, I should not have thought the proposal open to the objections taken to it. It would be a great boon to officers.

43909. (116) Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I have heard no complaints. I think that in this case differentiation has a solid ground and does not affect the officer's status as difference of pay does.

43910. (117) Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?—My only definite proposals are made in answer to question (115).

43911. (118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes, saving the answer to question (122).

43912. (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—Contributions are the best plan. Without them I should apprehend diminution in the proportion of pensions to salary that would leave the Service worse off. It is none too well off as it is. There is much to be said for the uniform level of pensions, provided salaries enable men to save moderately, as (except for the very successful) they do not at present.

43913. (120) Assuming the maintenance of the annuity system do you suggest any modifications in its detailed working, and if so, what and for what reasons?—No.

43914. (121) In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—An illogical arrangement justified by the actual and difficult conditions of composite High Courts. No.

43915. (122) Do you consider that a similar system should be applied to the cases of high executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable? —Only for Lieutenant-Governors. I agree with the proposals made by Lord Curzon's Government about 1900 that Lieutenant-Governors should get an extra £100 of pension for every completed year of service as Lieutenant-Governor.

43916. (123) Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—I think the proposal unsound and have not worked out details.

43917. (124) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. The scale for invalid retirements suggests itself as suitable.

43918. (125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—(*i*) (*a*) Yes.

(*i*) (*b*) Yes, if the pay is raised so as to let men save a moderate sum.

(*ii*) (*a*) Suitable. (*b*) Suitable.

43919. (127) Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—Yes.

43920. (128) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—Yes.

43921. (129) Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—Yes. None. None.

43922. (130) In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—Yes.

43923. (131) Do you recommend that such admission should be optional or compulsory?—Neither.

43924. (132) If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—Yes, if they wish it.

43925. (136) Are you satisfied with the existing organization of the Indian Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable?—Yes. None.

Written answers relating to the Provincial Civil Service.

43926. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alterations?—Yes. None.

43927. (2) Please supply a copy of the Rules for the Recruitment of the provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration? *Executive.*—Recruitment of 50 per cent. (or 10 places) by promotion from the subordinate service is sound; so is the absolute barring of the clerical man.

The other half is recruited by nomination. I think it gives good results. The only possible alteration would be to nominate 60 candidates for the 10 places (one from each district) and then examine. But even with preliminary nomination I should fear the results. The places would go too exclusively to men of a particular type.

Rule 8 of the enlistment rules is complained of. But it is more of a pious injunction than an absolute rule and I do not think that as worked it operates harshly.

Judicial.—I am told that our Munsifs are the failures of the Bar elevated to the Bench. It is suggested that instead of enlistment after 3 years' practice and appointment after about 2 years' more, men should be required to put down their names for enrolment after one year's practice even if actually appointed later. That is, the criterion would tend to be a real preference for Bench work and not, as it is now, a weighing of the Rs. 175 as officiating Munsif against the precarious income of practice.

I do not know if District Judges have to report critically on pleaders' work before appointment. Obviously they ought to do so.

43928. (4) Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation?—Promotion and selection have always prevailed. Competition was introduced by Sir Antony MacDonnell from among graduates of Allahabad University for (I think) three posts a year. This limited experiment was not much of a success, and I think that opinion in these provinces generally supported Lord Curzon's Government in abolishing it in 1902 "as being of recent and extraneous origin, and unsatisfactory and uncertain in operation."

43929. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination, and examination or (*d*) some other method? Please describe fully the system that you recommend?—Ten years ago it could be safely said that (*a*) nominated men were better than either (*b*) examination men or (*c*) promoted tahsildars. They were of better status than (*b*) and (*c*), of better practical ability than (*b*) and both better educated and more upright than (*c*). On the other hand both (*a*) and (*b*) lacked the thorough practical experience of (*c*).

If all our tahsildars were educated and honest I would recommend recruitment from them to the extent not of 50% but 75% or 80%. Educated we can make them. To make them upright is a very slow, difficult business. The habits of the country are very much against it. People look on it not as either a crime or a burden, but a simple piece of business, to pay any official with whom they have dealings, and often

they expect in return to be paid when he needs their help. Everyone knows that there are all sorts of expenses in tahsils which cannot go into any published accounts. It is far easier for a Deputy Collector who mainly sits in court not to take money than for a tahsildar, who is continually having to get things done.

But the tradition of honesty is spreading and in the long run I should expect to find that selected tahsildars will be the best source of recruitment. Certainly I would do nothing to make it harder for a tahsildar to get promotion to the senior Service.

As regards recruitment of new men, please see answers to question (3), Indian Civil Service; and (2), Provincial Civil Service.

43930. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—There are very few non-residents. Certainly it should be the general rule. Otherwise you might flood these provinces and the Punjab with Bengalis.

43931. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—There is no complaint I think.

Fair representation is desirable, but there is only one way of getting it without trouble and with due regard to the public interest, and that is *to make absolutely no rules on the subject at all* and to leave the matter in the hands of Government. If their hands are not tied they will deal with it as occasion requires better than any fine-drawn regulations can.

43932. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Incomparably the best training is that of the tahsildar: he may need to know a little more law when he becomes Deputy Collector, but otherwise he learns the work thoroughly in his earlier service.

I do not think much change is required in methods of probation or training of the new recruited men.

43933. (10) Is the existing system of Departmental examinations suitable, and if not, what changes do you recommend?—The criticisms suggested in answer to question (61) largely apply, *i.e.* the examination is too departmental and not nearly practical enough.

But I think that textual study of the Civil Account Code and the Stamp Manual, &c., is not so fruitless for Deputy Collectors who have to be Treasury officers, Stamp officers, &c., as it is fruitless for Civilians. Nor do the remarks about language made in the previous answer apply.

43934. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—Since writing the answer to question (37) I have discussed the question of the inferior listed posts with some Deputy Collectors. Those who are ambitious and think they have a chance of attaining distinction would prefer to have the listed posts in question kept out of the Provincial Service.

43935. (12) What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—I cannot answer this with sufficient accuracy.

43936. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Above the Rs. 400 grade I believe. I used to think when I was in the Appointment Department that selection was enforced too rigidly, on relatively slender grounds contained in the confidential reports: and especially that a man against whom there was a black mark, so that he was passed over once or twice, was not readily given a chance of retrieving himself.

But the opinion of the Deputy Collectors I have consulted is that selection is not enforced with sufficient stringency. This may be because they were capable and ambitious men who were confident of getting on themselves.

They do not think that the two Deputy Collectors selected for district charges owe their position solely to their merits. I know nothing about it, but the opinion is worth recording. If selection were very strict it seems to me that it would not have been necessary to pass over all Deputy Collectors of the 1st grade before finding a man fit for a district charge, as happened when Chaudhri Maharaj Singh was selected.

43937. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—For the most part as in answer to question (87). But in the case of the Provincial Service there should be far less difficulty both about selection and removal, because an officer's work is to a far larger extent continuously recorded.

43938. (18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—Executive and judicial in the ordinary sense of the words are completely differentiated in the Provincial Service of the United Provinces.

Deputy Collectors exercise magisterial functions as well as executive ones. This combination is convenient, effective, economical, and desirable.

43939. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The arrangement is suitable, and I know of no reason for objecting to the system followed.

The Provincial Civil Service, however, as a whole, will always imagine that the men who are selected do not owe their selection to sheer merit.

They would ascribe it naturally to the influence of powerful friends or to the good fortune of the selected candidate in having been personally known for many years to the authorities. Even some of the best Deputy Collectors try to establish a claim to the patronage of particular officers.

I have no suggestions, except that obviously the greatest care should be exercised in selecting the men for listed posts. If every Commissioner were called for to name his best men and the Board interviewed these and reported to the Lieutenant-Governor we ought to be sure of getting the right men.

43940. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I think it is the most suitable arrangement.

43941. (21) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—Everybody is satisfied with it so far as I know.

43942. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-7, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

43943. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. I think the pay is too low in the Executive Service. A probationary Deputy Collector begins on Rs. 100. What with high prices and high rents this is far too small. It should be Rs. 150 to start with, if not Rs. 200. (On the Judicial side the pay of a probationary Munsif has been fixed at Rs. 175 and an attempt is being made, I believe, to get it raised to Rs. 200.)

The Rs. 250 grade should be abolished and regular grading should begin with Rs. 300. There should be a small grade at the top of Rs. 1,000.

43944. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No, I think it hard on the Service that they do not get officiating grade promotion. I do not know what the reason is for withholding it other than economy.

43945. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—I am against it for reasons already given. Half the Deputy Collectors would go permanently to sleep if they were on a time-scale.

43946. (27) As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

43947. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I had better quote the answer of the Deputy Collectors whom I consulted:—

"Satisfactory, I think, except in the case of Indian Judges and Collectors, who have to begin with Rs. 1,200. These officers should get three-fourths of the pay."

43948. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Leave on full pay is frequently not taken by Deputy Collectors for fear of being transferred. Transfers are expensive and a standing terror to them. The amount is suitable.

43949. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No, not as a rule: except by men who have *zamindari* or other private income. Deputy Collectors do not take much half-pay leave except for illness or business.

Yes, the amount is not excessive but I suggest that commutation be permitted to half the amount of leave on full pay. This would be universally welcomed: and, under limitations, I do not believe it would be mischievous.

43950. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes.

43951. (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The Deputy Collectors whom I consulted know their Civil Service Regulations fairly well, but not one of them could tell me what the limits were. This shows that they are to a large extent inoperative in the case of Deputy Collectors. It is fairly clear otherwise that this must be the case—vide Article 341, Civil Service Regulations.

43952. (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No. Yes.

43953. (37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and if so, what; and what remedy do you suggest?—I do not think so.

43954. (38) In particular, are they a contributory cause of excessive transfers of officers, and if so, how can this difficulty be met?—I should be inclined to say that fear of transfers acts as a restriction on leave-taking—rather than that leave-taking causes too many transfers. During two and a half years' charge of Aligarh I have only had one change of a Deputy Collector, but my men have not taken all the leave they would like to get.

Two ways of relief suggest themselves—

(i) to reimburse officers their reasonable actual expenses on transfer;

(ii) if transfers *are* excessive, to use junior officers as a leave reserve and let senior officers returning from leave go back to their old district.

43955. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—Judicial Provincial Service officers complain of their privilege leave rules. I do not know with how much reason. Yes.

43956. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Satisfactory.

43957. (41) Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—No.

43958. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. I would apply the medical scale.

43959. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Yes.

43960. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The rules are satisfactory. The complaint is heard that extensions of service, out of regard for governing pension charges, are given too frequently to the detriment of the prospects of junior men.

43961. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—So far as I can learn, only to a slight extent. Some officers have private income and do not need to: others who have managed to accumulate money, especially during their service as tahsildars, prefer generally to buy land: and certainly some Deputy Collectors with no extra income and families to educate, cannot afford even the moderate subscriptions to the fund.

43962. (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes.

43963. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—The Executive Service ask that the posts of Assistant Judges should be opened to them alleging (i) that they are just as competent to acquire a knowledge of Civil Law as Sub-Judges and Munsifs are to acquire a knowledge of Criminal Law, (ii) that on the whole the criminal work predominates. I am not familiar with the subject.

MR. W. S. MARRIS, called and examined.

43964. (*Chairman.*) You are the Collector of Aligarh and are now holding an officiating post?—Since these answers were written I have been appointed to officiate in a short vacancy in the Government of India. I would point out that these suggestions I have made, whatever they are, are my own.

43965. Has your official experience been confined to this province or have you occupied positions elsewhere?—I have occupied positions elsewhere, not in the districts but in the Government of India, and I was on duty abroad for a short time.

43966. How many years' service have you now?—Nearly 16½ years.

43967. Your scheme is to have all European candidates for the open competitive examination scrutinized by the Civil Service Commissioners a year before they enter for the examination?—I would make them put in their papers and give the Civil Service Commissioners the opportunity of satisfying themselves further in any case in which they felt a doubt as to a man's suitability.

43968. Then you would give them power to cast a candidate without giving a reason for doing so?—It is an extreme measure, but I would give the power.

43969. Do you think it is a practicable measure?—I am afraid that some of these things are not practical politics, but I regard the questions as intended to elicit what was, in one's opinion, the theoretical best scheme.

43970. What we want to arrive at is a practical scheme.—I am not prepared to say it is practical to throw a man out.

43971. What would be the grounds of unsuitability assuming that it could be done?—The chief ground would be defective character or defective conduct clearly demonstrated. For instance, laziness or lack of energy, or failing to take a proper position in the school amongst his fellows.

43972. Do not you think that the passing of an examination like the Indian Civil Service would be a far more effective test as to those qualities than anything that could be hypothetically brought forward to a Board of Commissioners previous to the examination?—I am not sure whether the proposal is quite clear. I do not propose that the whole field of candidates should be scrutinized with a view to throwing the man out on these grounds, but only that if his initial record and the enquiries made from his schoolmasters and tutors disclose a doubt the Civil Service Commissioners before admitting him to the examination should satisfy themselves on the point.

43973. You would not continue to admit Indians to the competitive examination in

England?—I think a better means of recruitment can be devised.

43974. You realise the strength of the feeling on the subject amongst Indians?—I realise that it is strong.

43975. Do you think at this juncture that such a proposal could be carried out with good effect to the administration in India?—I think myself it would have to be gradually done. I do not think you can abandon the competitive examination at once. My position is this. The time has come to admit Indians more freely than has been the case hitherto into the higher ranks of the Service. Our agency in the past has been the competitive examination, and so far as I can judge the results are unsatisfactory, and if we want to admit more Indians we must find another means that will give us better results. The only means to my mind is a method of selection which will catch the men young, and then put them for a prolonged period of training into English hands.

43976. You say that the competitive system as applied to Indians is in your judgement a failure?—That is my opinion of it. It fails to select the best men. I believe there is to-day satisfactory material in abundance in the country that we could get. We do not get the best now, and I think it is important that we should.

43977. You would admit that that opinion is not shared by a good many of your colleagues in the Service?—I do not know on what grounds they would take exception to it, whether they think that competition gives a better result or whether it is the objection to nomination that they have.

43978. You emphasise your objection to open competition by arguments through which I will not follow you, because some of them if pushed would lead, I am afraid, to personalities which would necessitate our continuing the enquiry in private. I take it generally speaking, that you have raised these points merely to emphasise your objection to the competitive examination?—Yes.

43979. I will draw your attention to one point only where you say that out of the ten or twelve Native Indian Civil Service men in the province there was only one who would be regarded by Indians of position as fitted by birth and status for the office he holds?—I am glad attention has been drawn to that because you will see it is not my opinion. It is quoted as bearing on the opinion held by the Indians I have met. It was an opinion that impressed me and I put it down.

43980. I have quoted it to you because I want to clear the ground on these points as they might lead to questions and answers which would be undesirable in public?—I hope it is clear in the first place that that opinion is not mine.

43981. I take it that in quoting it you agree to it?—No, certainly not. The question asked is not direct evidence of the character of the officer but opinion that is held about him.

43982. I take it you would agree that that opinion, by whomsoever it may be held, is not shared by a very large number of members of the Service or by many people in the province?—In writing these answers I wrote as Collector of Aligarh. That district is a district of large estates and general conservative feeling. I will not go so far as to say this particular remark would be endorsed there, but I would assert with some confidence that it represents generally the feeling of the gentry of the district, and since the remark was made to me and seemed to have a direct bearing on the question I put it in.

43983. Your plan is to select boys below the age of 14?—Yes.

43984. You would enter them at a college and after four years put them through an examination. A fourth of them will then be eligible to go to England and, ultimately, to enter the Service?—Yes.

43985. I take it that proposal means that you will have to fix for the next ten years the limit of Indian recruits to the Indian Civil Service at about 7 or 8?—I have not the figures at hand. I do not know what result the present system is yielding. Whatever it is, I would increase it generously. I said an increase of 50 per cent. but I am prepared to double it. It is important to fix it for a period and let it be understood that it is open to revision at the end of that period.

43986. You would be prepared to give a generous increase to the present number?—Yes, whatever it is now.

43987. But would you like to see it definitely fixed for a period of time?—Yes, a sufficient period of time to enable the Government to judge of the results before it goes any further.

43988. Do you think that by this system of an institution in India you will be able to realise any appreciable improvement as compared with the present candidate?—That is my strong opinion. The men about whom I have felt least doubt as to their fitness in every way for membership of the Service are the men who have gone home young. I have known several of them.

43989. So that you would strongly favour in principle the scheme that has been advocated by certain witnesses of sending boys home at the age of 14 and passing them through an English public school?—I should want a little more than that. I should want them actually living under English supervision the whole time, almost under an English guardian.

43990. You would prefer the system of an establishment here to the proposal of sending them to England for an ordinary course at an English public school?—I think so.

43991. Your scheme would be an expensive one, would it not?—Very expensive, I think.

43992. Do you think it would go any length towards satisfying the demands of educated Indian public opinion on this vexed question?—I do not think it would go far: that is a consideration to which I should attach weight, but not supreme weight.

43993. You would attach a certain amount of weight to it from the point of view of ultimate efficient administration in India?—I think that argument cuts both ways. So far as I can see, it is very important for the ultimate future of India that you should get the best Indians in greater numbers into the public service, and I feel that this is the way to do it.

43994. With regard to your answers as to the prospects of the Service, you think that there is

some difference in tone discernible amongst the younger men ?—I think so.

43995. Whilst they are not inferior you think they are too old and not adaptable ?—I think so.

43996. And therefore you are strongly of opinion that the examination should be passed at a much earlier age ?—Yes.

43997. You regard this as important from the point of view of the individual efficiency of the officer, and I suppose you would regard it as important as tending to mitigate certain problems connected with his career ?—Yes.

43998. You would like to see all officers obtaining superior posts earlier than they do now ?—Yes.

43999. And it is only by that means you can ensure it ?—Yes.

44000. You make a suggestion somewhat different from any we have had with regard to the training of the Civilian when he arrives in this country. You think the Collector is too occupied with his work to give that amount of attention necessary ?—I think so, especially as it generally happens that these men will be sent to a fairly heavy district.

44001. You would like to see a Joint Magistrate appointed to supervise two or three young Civilians, and he would be given a very light charge for the specific purpose of looking after them ?—Yes, in order to give him plenty of time to look after the men. In a heavy district the Collector has too much work to do to look after the men. The Collector's work is not the work that the Assistants are going to do for many years, and there is a good deal of the work that he cannot explain, and it would be no use to them if he did. The young Civilian is often very ill at ease and unhappy when he first comes out to the country, and I think he would be very much better off if he had one or two men of his own year with him, and was in touch for the purpose of training with a man not 15 years older than himself, but 5 years older.

44002. I can see the advantages of his being nearly the same age, but would it be a sufficient age for responsibility ?—I think the selected Joint Magistrate would be all right. I know one or two who would do it very well.

44003. You set great store on very careful training of these Civilians during their first year ?—Very great store, certainly.

44004. You make some interesting suggestions in answer to question (89), and in regard to the position of Collectors and Magistrates you say that you are strongly against the abolition of the designation "Collector" and the substitution of that of "Deputy Commissioner"?—It is a mere matter of sentiment. I understood it was being urged. The name Collector, although not understood in England, has established itself very firmly in this country, and it is an honourable old title which I should be sorry to see go. It is a title used in this part of the country whatever the functions may be. He may be acting as a judicial officer but he is called the Collector.

44005. You do not see any particular importance in having a uniform nomenclature ?—None whatever. I think the word "Deputy Commissioner" is absolutely misleading. The connotation is wrong. Deputy Commissioner was adopted in non-regulation Provinces where the Commissioner was the important unit and these District Officers were his Deputies, but in Bengal and these Provinces the whole thing has been built up on a district unit and the Commissioner has gathered the districts together. The thing did not begin with a division and split up into districts, but began with districts, and the district is much more the unit here.

44006. In your answers to questions (99) and (100) you express strong views about a time-scale, and I should like to hear them expanded as we have had a great deal of evidence in favour of it ?—I think the time-scale is rather the resort of the despairing. When things run badly and men find grade promotion is slow they naturally look to a time-scale by which you drift on a sort of stream year by year, getting a little better every year. That is all there is to be said in favour of it. Perhaps you do away with a certain amount of complication in grade promotion; but not all, because you have to provide for certain special appointments that will not fit into it. I feel that there is this very strong objection to it, that it does not provide the check that the grade system does upon efficiency and a man going to sleep over his work. It has the greatest possible inducement for a man just to go on, and the time-scale carries him along until some day or other he gets a big salary. On the other hand, it is far more difficult for Government. Under time-scales I believe there are efficiency bars, but it is not the same thing stopping a man going up from Rs. 1,200 to Rs. 1,225 as it is in saying definitely that the man shall not be promoted from Rs. 1,000 to Rs. 1,666.

44007. Probably you will admit that in certain Provinces in India to-day there is a very serious block, though it may not be the case in this Province ?—Yes.

44008. And that is a great discouragement ?—Yes, a great evil.

44009. And this might do something possibly to rectify it ?—Yes.

44010. Take the present system of moving through the grades, is it not, more or less, a time-scale of a rather irregular type ?—The whole thing is a question of degree.

44011. It is really an automatic time-scale, but its action is irregular. The only difference in the introduction of a time-scale would be that you would have it automatic and regular. If in addition to that you had the selection bar as between the lower grades and the higher grades would not that really meet the objection you have ?—I think not. I do not think myself that a graded Service, with promotion from grade to grade, can be described as even approximating to a time-scale. The essence of a time-scale is that you go on year by year.

44012. In effect its results are the same, are they not ?—Very broadly. There ought to be much more selection than there is.

44013. Is there any selection between the third grade of Assistant Collector and the second grade ?—No. That is a matter of passing an examination.

44014. And from the second grade to the first grade ?—There will have to be a vacancy for promotion as Joint Magistrate.

44015. Men have to wait a long time sometimes?—Yes, sometimes. They have to wait too long nowadays.

44016. That is a source of great discouragement to the Service?—Certainly, but I think it may be remedied without recourse to a time-scale.

44017. What would be your suggested remedy for that?—Do you mean for immediate relief or permanent relief?

44018. I should like to hear both?—I think allowances are needed now; I would give men extra allowances.

44019. What is the difference between that and a time-scale?—Allowances are simply a temporary expedient to get over the immediate difficulty. Then you recast the cadre, and examine the actuarial data, check all the results of casualties, &c., again, and I think the thing will be done.

44020. You think that with a recasted cadre it will be remedied?—I think so.

44021. You put in a plea for better allowances on transfer. Could you give us any practical suggestions as to a suitable scale?—I should pay actual expenses within limits to be laid down according to the officer's grade.

44022. As regards the leave rules, I dare-say you have seen the new draft regulations?—I have not.

44023. So that you are not in a position to say whether you agree with those or not?—No.

44024. You have been told that Munsifs in the United Provinces are the failures of the Bar elevated to the Bench?—I give that as an opinion.

44025. Some of the witnesses coming before us take a very different view and have spoken in high praise of the work of the Munsif?—I give it as a second-hand opinion as the result of discussion. I am not a Judicial Officer and I have had very little to do with Munsifs, but it was the opinion held of the local Bar in Aligarh.

44026. It is not an opinion of your own?—No. I say that I was told so.

44027. You do not set anything upon it?—I do not lay the least weight upon it myself. I give it simply for what it is worth.

44028. (*Lord Ronaldshay.*) With regard to the recruitment of Indians, I take it that what you wish to express here is that there is a considerable section of people in this country who would prefer to see such Indians as are recruited to the higher branches of the Service drawn from what I may describe as the aristocratic portion of the population rather than from the middle classes?—Yes.

44029. And so your scheme is really drawn up with a view to excluding practically the middle class from that branch of the Service?—No, I would exclude none: but I would make it possible for the deserving of all kinds to get in, and I do not think the present arrangement does.

44030. I understand that when these young boys were selected under your scheme they would be selected largely from people of old families and so on. If you say you want to give all classes a chance, what instructions are you going to give to the men who make the selection?—The Commissioners would select and they would no doubt call on District Officers for nominations, and the District Officers would be told that they are not to confine themselves to any particular caste or race but must look for all kinds of merit, not merely old families or anything of that sort. Status and position in the country should come in, but they must get the professional classes and the merchant classes too, where there are promising boys of ability. I do not propose in, the least to strike those out.

44031. At what age are you going to start selecting?—About thirteen.

44032. How is the District Officer going to know which boy is of that age in his district?—There will be no lack of names put before him. He has plenty of means of finding out about a boy and he would have the boys up before him. I know two or three boys in my district whom I should be prepared to nominate already, and I know of other boys who are going in, who I think are not likely to succeed and whom I cannot think of as officers if they do succeed.

44033. If your scheme is put into practice you anticipate that it would result in men of all classes coming in?—Yes.

44034. Therefore I do not see that there would be very much difference between that and the present system?—The classes I would like to see better represented at present do not appear to me to get in now.

44035. Do you mean the landed classes?—Yes.

44036. Surely you would give your District Officers instructions that they were to look out specially for them?—Not if this is to be the only method of recruitment. If you are going to maintain the competitive examination and have promotion from the Subordinate Service, then this might be a special arrangement simply for the landed classes. If it is the only thing, certainly not.

44037. With regard to the age-limit, your suggestion is that the age-limits of the open examination should be between the years 19—21. At the same time you seem to have a preference for a younger age. That being so, I cannot understand why you do not go the whole hog and come back to the school-age again?—I think you want rather more than the school-age. I should like to see the best boys take their degrees if it can be done quickly and cleanly. I would give a boy a chance of doing it before he comes out to India.

44038. If you are going to have the age 19—21 I should have thought that is precisely the age which would prevent most people from taking a degree. It seems to cut straight across the University course?—I have taken it that the scheme results in the man taking his degree and coming out at 23. Theoretically I do not think it is the best thing. I rather like to see them younger than that. But I attach sufficient importance to a man taking his degree to say I would be content with that.

44039. But would he not have a better chance of taking his degree if you had the examination at the age-limit of 17—19 and allowed him to go to the University and take a degree afterwards? He would then come out at 22 or 22½?—He would take a Pass Degree only.

44040. He could take an Honours Course?—I do not think he could do it in addition to the training he is going to have.

44041. He could do it under those conditions, and it seems to me it would be still more impossible for him to do it under your conditions. If you are going to take a man for an examination at the age of 19 to 21 that is surely the very age at which a man would be working for his degree?—What I would really like to see would be the man go up rather younger and take his degree quicker than he does. I think the thing is too long altogether; I think the whole University Course is too long as a preparation for the Indian Civil Service. You have to get the University authorities if possible to quicken the thing up.

44042. You want the Universities to grant a degree to a man who has been in residence say for two years?—I think a man ought to take Moderations at the end of his first year and then Greats; probably it would be three years.

44043. You say in answer to question (88) that it is well for a District Magistrate to be able, if he wishes, to judge of his policemen's work as a Magistrate, and I should like you to explain a little more definitely exactly what that means?—Everyone is aware that police investigation work in this country frequently incurs a great deal of criticism, sometimes justly and sometimes not. A District Magistrate is always anxious about his police work and it is a very difficult thing to control the facts of an investigation. My point is that the knowledge that the District Magistrate is in a position to take the case up himself and see it from inside, and have the witnesses before him and check what they say against the depositions recorded in the police papers, is a great check upon police work, although he can very rarely exercise the functions. The fact that he is in a position to do so tends to improve the police work.

44044. With regard to what you said to the Chairman about the training of young Civilians, is it not the ordinary practice now for a young Indian Civilian, though he is put into the charge of a District Officer, to be sent, at any rate for part of his time, into camp with a Joint Magistrate?—I think the Collector does most of it, certainly about three-fourths of it.

44045. Under your suggestion would you pick out some particular sub-division in the Provinces to which the bulk of the Indian Civil Service recruits should be sent for training?—No. I shoud pick out Joint Magistrates, two or three fairly senior capable Joint Magistrates, known to be good at their work, and allot the men to them. You can always relieve the sub-divisional officer sufficiently to give him time to explain what he is doing.

44046. But if you are going to have a sort of institution of this kind you will have to have accommodation?—I was not thinking of anything of that sort. I was thinking chiefly of the touring season.

44047. What would they do when the touring season came to an end?—They might go into head-quarters and take up their work there. The only two points I make are, first that the Joint Magistrate is in the long run a better man to do it than the Collector, and secondly it is better for two or three men to be together. I will take it no further than that.

44048. With regard to transfer, under the present rules a man is allowed nothing more than two first-class fares when transferred from one district to another?—That is so as an ordinary rule, but in very emergent cases, that is to say, supposing a man had a transfer and something happened to upset it, and he had to be ordered back again, the Government would no doubt take an extremely hard case like that into account and sanction something. I know cases where it has sanctioned the railing of officers' horses.

44049. But generally speaking a man gets two first-class fares?—He gets them whether he is travelling six miles down his own line or 500 miles across his own Province.

44050. And no allowance is made for the transfer of his furniture, horses, or anything else?—No.

44051. With regard to the question of a time-scale, do you think it would be possible under the present graded system to prevent blocks in promotion? I ask you that because you suggested to the Chairman that in future the graded system could be so arranged as to prevent these irregularities from time to time in promotion. But supposing, as I believe happened in these Provinces, in some particular year a very large number of senior officers retire, is it possible under the graded system to prevent a block of promotion in the future?—The disturbing influence in the case to which you refer was originally the Mutiny of 1857.

44052. I mean about the year 1896 or 1897, when a very large number of senior officers retired.—They may have retired from personal or immediate causes; I think it is possible they did.

44053. Let us assume thatthey did?—But that, I think, is not the immediate cause of block so much as what I refer to, the retirement in a block of the young men recruited to fill the extra vacancies caused by casualties.

44054. Supposing a large number of senior officers unexpectedly retired, would not the result be that a large number of comparatively junior officers would immediately get promotion? They have a great many years' service before them and consequently there are very few retirements from the higher grades for a great many years to come. Is not the result of that an inevitable block in the younger ranks?—It is quite true these things happen, but I do not think they are inevitable in the Service and always to be expected, or that they are a final argument against the existing arrangement.

44055. I quite see that you are opposed to the system of a time-scale?—I am absolutely opposed to it.

44056. (*Sir Theodore Morison.*) Would you explain to me how far promotion up to the first grade of Collector is governed by pure seniority?—I am afraid very largely.

44057. To what extent?—I do not think practice accords with principle. I think Government is apt perhaps to say one thing and do another in this matter. Government, I imagine, would readily accept the proposition that promotion to the first grade of Collector ought to be strictly by selection; but in practice it varies

with the idiosyncrasy of the Government and its knowledge of its men. A new Government taking office cannot be supposed to exercise the same squeeze as one that knows its men thoroughly.

44058. If you are really under a seniority scale I do not see how merit gets a greater chance than under a time-scale?—Is it a seniority scale that we have now?

44059. So it seems to me. Promotion depends upon the vacancy above you?—It does, and there are supposed to be bars which we only cross by selection.

44060. But you say they are not effective?—Not as effective as they ought to be, I think. It seems to me that if there is a difficulty in effecting it under the big bars you have still less hope of effecting it when you whittle down your bars to Rs. 25 a month.

44061. With regard to the Political department, has there been any opportunity of finding out about the time-scale there?—I should prefer to express no opinion whatever as to the way in which promotions are made in the Political department.

44062. You are strongly in favour of a special institution for probationers?—Yes. I think it is best at home.

44063. It has been urged upon us in other places, and the criticism made upon it was under three heads. First of all a great many witnesses placed a very high value on the liberal influence of the University. I daresay you have noticed some men who have had a University education and some who have not, and I should like to know whether you value a University education?—I value it highly.

44064. Do you contemplate it, or an imitation of it, in your separate institution?—I should not contemplate getting the same thing, but a certain number of the candidates would have had a certain amount of that liberal education in a University before joining.

44065. If your ages are accepted?—Yes. Secondly, I think there are corresponding advantages in this which would perhaps compensate for the lack of University culture in the case of those who did not get it.

44066. All this is a balance of advantages and disadvantages?—Yes.

44067. The second criticism was that there is a good deal of capital and plant at the two Universities which would have to be scrapped?—I should not have thought that was a very serious matter. The capital and plant at Oxford 16 years ago was not so elaborate.

44068. Thirdly there was the expense?—I have not considered the question of expense. I think it would be expensive, but you have to face expenditure anyhow.

44069. How much do you recommend should be given for the allowance during probation?—£200.

44070. (*Mr. Abdur Rahim.*) Is there any Talukdari school or Chiefs' College in this province?—There is a Talukdari school in this city, but no College within the province, as far as I am aware.

44071. Your idea is to send these young men to a school of this sort?—Yes.

44072. You would admit any boy, I suppose?—I would admit these selected boys. I have laid down no restriction of any kind as regards the type or class of boys selected.

44073. Why do you specially mention the Chiefs' College?—Because as far as I know they are the best and most expensively equipped colleges with the advantages of an English staff.

44074. How long has this school been in existence here?—A long time. The name is Colvin. I infer from that that it dates from Sir Auckland Colvin's time.

44075. Do you know what the results of this system have been,—the training in these schools?—I have little first-hand knowledge of them, but I understand they are very good. I know it is an institution recommended to the notice of all District Officers as being the best possible place in which boys likely to take responsible positions can be sent.

44076. Are there any boys from this school in the Service?—I should think it is probable. I have never served in Lucknow, and I have no intimate knowledge of the boys of the Talukdari school.

44077. I suppose you would have similar schools in other provinces?—It is a question whether you could do it in one central school. I do not mean to suggest necessarily the Colvin school here, but I take that as a type of institution that might be utilized or instituted.

44078. You would not exclude other schools?—By using these words "Chiefs' College or Talukdari schools" I mean expensive institutions with a staff of Englishmen, where money would not be spared; in fact a model High School under English management.

44079. As regards your answer to question (88) *viz.*, the separation of the two functions, I suppose the present system means that the judicial is subordinate to the executive?—No, I should not say so.

44080. The subordinate magistrates?—In their judicial capacity I do not regard them as subordinate to the executive head of the district.

44081. Do not their promotion and their prospects in the Service depend generally on the report of the District Officer?—Partly on the report of the District Magistrate and the Collector, and partly on the report of the Sessions Judge.

44082. To that extent it depends upon the report of the District Magistrate to whom he is subordinate?—No. I should not describe him in his judicial capacity as being subordinate to the District Magistrate.

44083. What you mean is this, that his decisions are not subject to appeal to the District Magistrate?—I mean much more than that. I mean that the fact that the District Magistrate reports upon him for promotion does not influence his judicial independence.

44084. But in fact he is subordinate to the District Magistrate as his executive officer?—As executive officer he is undoubtedly subordinate to the executive head of the district.

44085. He is the same officer whether he gets his promotion or not. I say so far as the magistrates are concerned these subordinate magistrates are subordinate to the executive officer?—

I think it is a question of words. In my opinion they are not subordinate as judicial officers.

44086. I suppose you would admit it would be wrong in principle to subordinate a judicial officer to an executive officer. If they are made subordinate to them their judicial independence will be impaired?—I have no desire to see that and I should think it would not be wise to subject judicial discretion to executive interference.

44087. Judicial officers should not be subordinate to the executive officers?—I think they should not be.

44088. You agree with that?—Yes.

44089. One of the advantages you mention of this system is that a District Magistrate is able to judge of the police work as a magistrate. Supposing he had experience of magisterial work before he became District Magistrate, but he did not retain any magisterial powers as district officer, he would be still equally able to judge of the police work?—He might be equally able to form an opinion about it, but he would not be equally capable of putting that opinion into effect.

44090. Do you think when a case is initiated there is much scope for rejecting it if there is a certain amount of evidence in support of the case?—I think there is considerable scope. I think the use made of section 203 of the Criminal Code shows it.

44091. But you have heard here the evidence?—Yes. He would frequently discover the evidence adduced by the complainant is not worth much.

44092. What you meant was the application of section 203?—Yes.

44093. But that could be done by any magistrate?—Yes.

44094. The District Magistrate does not stand on a different footing in that respect?—None whatever.

44095. Why do you say you would not have sufficient control over the Honorary Magistrates?—The benches of Honorary Magistrates in municipalities are largely concerned with trying offences against breaches of municipal regulation, matters of sanitation and traffic, and like matters. It is, in my experience, true to say that as a rule there is a tendency for Honorary Magistrates to be insufficiently alive to the importance of enforcing sanitary and police regulations. The District Judge has no interest in these things. The executive head of the district has an undoubted interest in them, and the mere fact that the head of the district is also the District Magistrate is of value in enforcing a certain standard of efficiency in these respects to which the Honorary Magistrates, if left to themselves, would not be liable.

44096. I understand your position is this, that because a District Magistrate is head of the municipality and other institutions in the district he is interested?—He may or may not be head of the municipality; he is frequently not. But whether he is head or not, the District Magistrate is interested in securing the maintenance of a certain degree of sanitation and matters subject to like control in the town. It is, I am sure, true to say in this part of the country that public opinion at large is behindhand in this respect, and that many Honorary Magistrates appointed to the benches in municipalities are not abreast with public requirements. That is to say, the fact that they feel there is the District Magistrate behind them is of undoubted value in securing a better enforcement of sanitary and municipal regulations than you would get if the Honorary Magistrates felt that they were under the District Judge.

44097. As I understand, the Honorary Magistrates only try cases?—Yes.

44098. As far as decisions are concerned, surely the District Judge, and any other authority, is quite competent to judge of their decisions being sound?—It is chiefly a question of sentence.

44099. You do not think that the Judge is able to pass a proper sentence?—I do not assent to any such proposition as that. The Honorary Magistrate who has a small sanitation case before him is more likely to pass a sentence that the circumstances demand rather against his inclination if he knows the District Magistrate is behind him rather than the District Judge.

44100. Do you think he would pass a severe sentence though he himself thought that the sentence were not deserved in the particular case because he was subordinate to the District Magistrate?—I do not think the case would be decided with undue severity.

44101. What about the *badmashes* appeal?—You mean section 110 cases?

44102. The appeal ordinarily lies with the District Magistrate?—The appeal always lies with the District Magistrate. The Court passes an order to find security, or failing to find security to go to jail. If that period exceeds a year it goes for confirmation before the Sessions Judge.

44103. Of course that is the power. Does not a Sessions Judge hear appeals in certain of these cases?—He confirms the order.

44104. That is the District Judge?—No, the Sessions Judge. If a first class Magistrate passes an order of this sort affecting the accused for more than one year, this order is not valid until it is confirmed by the Sessions Judge.

44105. You suggest that he ought not to have that power?—Not at all. I think these are exceptional cases in which it is desirable that a final review of the sentence should lie in the end outside the district authorities, but for the ordinary purpose for which an order affecting a man for one year suffices, I think the existing arrangement is a sound one.

44106. Why should not the Sessions Judge be in a position to hear appeals in these section 110 cases?—Because the whole basis of the cases is different. The sections are of a preventive nature and the rules of evidence guiding them are different. It is a matter of general repute much more than of legal evidence as to the commission of definite facts.

44107. But the evidence has to be given on repute and not on what the Magistrate knows; is not that so?—I understand there are various High Court rulings on the subject.

44108. The Magistrate himself cannot import his own knowledge into the case even as regards evidence of repute?—No.

44109. On that there is no difference of opinion?—There is no difference of opinion.

44110. The District Magistrate is in a better position to deal with these cases than any other judicial officer?—I think the judicial officer who is accustomed to decide these things in the light of strict legal evidence would tend to take a too ultra legal view.

44111. If it is legal, why should it be ultra legal?—It is a legal view in the sense of sustaining a conviction. In this particular case the record is always open to revision by the High Court.

44112. These are important cases and it affects the zamindars. We have had prosecutions under this section in Bengal with regard to zamindars who own considerable property. If a man is proscribed under this section he is branded as a *badmash*. When deciding a case like that do you not think that the Magistrate should confine himself to the evidence before him?—If it is a question whether the District Magistrate or the Sessions Judge is the best authority to deal with the evidence put forward in the case of bad livelihood, my reply is that the District Magistrate is the best.

44113. It does not appear to me why he should have any advantage if he is confined to the legal evidence?—The authors of the Code in their wisdom have provided for it.

44114. He may have an advantage if he is free to import his own knowledge?—As far as his position is concerned his authority is derived from his superior power as a magistrate.

44115. If that position is not defensible then there would be no force in your last argument?—I think that the process of transferring authority to the courts is going on too fast.

44116. You do not want the rule of law to progress any further?—I think it is going on faster than is good for the country. I think the rule of law under the law courts in the long run is the rule of the long purse.

44117. You would try to restrict the progress of the law as much as possible?—No, I do not go so far as that. I think there is an inevitable tendency to progress from the old primitive days of personal authority into a period of rule by law and order; but I am concerned at the rate at which it is progressing in this country. I am concerned at the rate at which the effective power is passing into the hands of the courts and the lawyer.

44118. You would retain this combined power as an exception to this rule of law?—I do not regard it as an exception to the rule of law.

44119. (*Mr. Sly.*) With regard to the first argument which you have given about the connection of the Collector with his magisterial and police work, when the Collector also has the control of the police and in addition has the control of the magistracy would he not be likely to regard police work from a very different standpoint than he would if he was responsible for police work alone and had no responsibility with regard to magistrate's work?—A very different standpoint.

44120. Is it not a good thing in your opinion for the country that the control over the police should be tempered by the responsibility which the Collector also has as District Magistrate for the due administration of justice in the criminal courts?—In my opinion it is a good thing.

44121. In your experience as a District Magistrate, do you believe or not that cases occur in which the District Magistrate interferes with the judicial independence of Subordinate Judges in dealing with criminal cases before them?—I have no knowledge of any such cases.

44122. Have you known cases in which the District Magistrate has abused the power which he possesses under the Code for the transfer of criminal cases from one court to another in order to secure that such a case should come before a magistrate who he considers is more likely to follow the course which he desires to be followed?—I have no personal knowledege of any such case.

44123. Is it not the case that if a District Magistrate transfers a case he has to record his judicial reasons of the grounds for the order of that transference?—It is the case.

44124. Is not also his order to transfer open to appeal?—I believe so.

44125. To come to these preventive sections, have you known of any cases in your experience in this province in which cases under the preventive sections have been instituted against zamindars or large owners of property in consequence of differences of opinion between the zamindar and the District Magistrate with regard to his treatment of the tenants or the like: do such cases occur in the United Provinces?—No.

44126. Take the case of a zamindar who is rightly or wrongly supposed by the Collector to be treating badly the tenants of his estate: in such a case have you ever known a proceeding instituted under the preventive sections?—I have never known it adopted.

44127. You have given an opinion against the abolition of the nomenclature of Collector: do you also have the same opinion with regard to the abolition of the special nomenclature of officers in non-regulation provinces: is there any reason why the nomenclature which prevails in non-regulation provinces is not similar to that which prevails in the regulation provinces?—I know of no objection.

44128. Is there any reason why in non-regulation provinces the head of the district should not be called "Collector?"—I know of none. I know no reason why the distinction in the relative position of the District Officer and Deputy Commissioner should be any longer preserved.

44129. It is retained in Oudh, is it not?—Yes.

44130. Is there any reason why it should not be abolished: why the head of the districts in Oudh should not be termed "Collectors" as they are in other provinces?—I know of no reason beyond the fact that a certain amount of legislation would be required to give effect to the change.

44131. With regard to the improvement of the position of the Services, I believe you have stated that the senior officers, or at least officers in the middle portion of their service, feel the pinch most?—The word "senior" here in answer to question (93) is a misprint for "junior."

44132. It is the junior men you consider who feel the pinch most?—Yes, the junior.

44133. With regard to the Provincial Civil Service, have you noticed in your Service any marked difference in the capacity between the Deputy Collectors who are promoted from the subordinate services and those who have been recruited direct: which system of recruitment in your experience is being most successful in producing the best type of Deputy Collectors?—I think promotion: but I also think the other hardly had a fair chance. The competitive examination system to the best of my recollection was introduced by Sir Antony MacDonnell about the year 1898 and was abolished about 4 or 5 years later. During that time I suppose the number of officers admitted under it must have been exceedingly limited.

44134. You have had a number of officers who have been admitted by nomination?—Yes, and by promotion.

44135. Can you tell us from experience which has turned out the best officer, the nominated or the promoted man?—I think the nominated man is probably to be preferred on the whole. I do not regard that as an inevitable or permanent condition of things. I think we are improving matters from the bottom up and our subordinate service is much better than it was, and, in consequence, we are having and shall have a better class of men to draw upon by promotion. I think that nomination ought really nowadays to begin at the bottom of the subordinate grade and not with the Deputy Collector. The district officer has the nomination to make for the naib-tahsildar at Rs. 75 and the Deputy Collector at Rs. 250 a month.

44136. Do you find you are as likely to secure as good a man?—My point is that it is very difficult under the nomination system to say that this man is worth an appointment at Rs. 75 and that that man of a little higher degree is worth Rs. 250 a month. I think the time has come when appointment by nomination ought to begin with naib-tahsildars and that the others ought to go up by promotion.

44137. You think that all above the Deputy Collector's grade should be stopped?—It is a little soon to say that. It is what we are getting to.

44138. Are your appointments to your Subordinate Civil Service made direct by nomination, or do you have even lower subordinates promoted into that Service?—We have both. Every district officer has two nominations, one from outside and one from inside. I think that is right.

44139. Are your appointments to naib tahsildars made direct from young men, or are they promoted subordinates to any extent?—To the best of my recollection both. A district officer has two nominations each year for the office of naib-tahsildar. In one case he is directed to propose the name of a subordinate who is ordinarily a kanungo or a sub-inspector of police who desires a transfer; and in the other a person outside Government service. In the case of there not being anyone fit in Government service two outsiders are proposed.

44140. Can these men who are appointed naib-tahsildars go up in the ranks of promotion beyond tahsildars?—I should expect to hear that the number of Deputy Collectors who have risen from below naib-tahsildars is small.

44141. (*Mr. Macdonald.*) You say that the limited experiment of filling part of the Provincial Civil Service by competition was not much of a success. In what respect was it a failure?—I think the men were academically good men but they all lacked practical experience. They were tried in the district and were not recruited as efficient officers. That is my impression.

44142. Was that the opinion of the Government?—Yes, I think so.

44143. With reference to your answer to the question put to you by Mr. Sly with regard to the administration of section 110, you say you never heard of the case of a Collector putting section 110 into operation, because he had a difference of opinion with the zamindar about the conduct of his estate?—I have never known of it.

44144. Whatever was the real reason, that reason would not be given, would it?—It would be notorious; it would have been known, undoubtedly. These things are not hidden if they are known.

44145. Have you heard of such cases?—I cannot say. There is a tremendous volume largely concerned with alleged abuses of the combination of powers. I have been through it. I should hesitate to say that I have never heard of it; but I have never myself known it.

44146. Have the decisions under this section been the subject of much challenge?—Relatively little here. It is not a matter of the least interest.

44147. In answer to question (42) you say, "They wish their boys to share the power and the income of the Service, and especially the income"?—Yes, I think so.

44148. In answer to question (13) you speak about the criticisms passed upon the Judicial branch of the Civil Service. You say, "Such criticism has come chiefly from persons whose disinterestedness is at least suspect"?—I think so. They have an interest in sharing these things largely. My point is that before these statements are accepted as to the relative inefficiency of the Civilian District Judge let them be tested; and they are not going to be tested simply by statements. The only test I should suggest is to go through the appellate records and find whether your Civilian comes out any worse than anyone else. I do not believe he does.

44149. This is the first time I have come across a suggestion from a witness that these considerations are of sufficient importance to be written down as part of the written evidence; and I wondered if there really was a provable substance in this, or whether it is simply because there are salaries attached to these posts.—There are salaries; and, of course, there are lots of people anxious to get the salaries. I put it on that ground. It is not enough to say that these are statements which want to be looked into closely.

44150. You always lay yourself open, do you not, to the *tu quoque*?—Personally, I am not interested in that.

44151. I meant as a Service. Further on in answer to question (42) you quote something in the original, of which I have got a translation for the purpose of accuracy and understanding. Have you any objection to answering this question? This gentleman said this thing to you. The important thing, so far as I am concerned, is what you said to him in reply?—Nobody said it to me. This turns up as a perfectly ordinary concluding sentence in many of the petitions which come in daily to the Magistrates. Whenever the petitioner has really got a grievance and he is not trying to get the better of an enemy, and when he feels that he is being wronged, the chances are that at the end of his petition these words will occur: "I am really asking for justice in this case: therefore you come, or send the Joint Magistrate."

44152. We are going to have evidence submitted to us with reference to this. The European superior officers are themselves responsible if they receive constant complaints against Indian administrators. The complaint has been made to us that, as a matter of fact, in the Service the European officer does not stick up for his Indian colleague, and he receives these complaints without answering in such a way as to guard the *esprit de corps* of the Service?—It would hardly occur that complaints about a colleague would be addressed to a European officer. The complaints he is concerned with are complaints about the subordinates. Those complaints come to him, and he is bound to take them up and investigate them.

44153. I do not want to go deeply into it, I am only skimming right along the surface of it, but is it true that the European officer receives this sort of thing without a reply being made to the effect that the petitioner is quite wrong and that the Indian officer ought to be trusted?—One ignores it. You do not investigate everything, because you cannot. I realise that the comparison is not entirely a fair one. Your comparison in this matter is between the expensive English senior district officer and the junior Native local subordinate; that is to say, what you are comparing is an English Joint Magistrate on Rs. 1,000 a month, perhaps, and a naib tahsildar on Rs. 75 a month. But, there it is. They do not trust the local man who goes out to enquire, and this crops up quite naturally every time when they want to have an enquiry and the truth to come out?

44154. Further down you make reflections about the opinion which you explained to the Chairman was the opinion of Aligarh, about a man being fitted by birth for the office he holds?—This thing which has attracted remark is a quotation. It turned up, without invitation, in the mouth of an Indian gentleman of good position, who knew the provinces, but was not of them. This remark was volunteered. It struck me, and it went down.

44155. As far as it is embodied in your evidence it has to be enquired into. The question I was going to ask you is this, whether in estimating the value of this criticism, and in putting it down in your evidence, you cast your mind across the diwans that used to be appointed by these people when they were in authority, and whether these diwans were invariably taken from families of birth and status?—No, they were not: they are not now.

44156. As a matter of fact, am I not right, so far as I have read of the case, that very often these men if they proved themselves to be capable of administration, went and got their ancestors manufactured so that they might accommodate themselves to the circumstances?—I cannot answer that.

44157. With reference to the present case where you have now got ruling families in authority, both on the Hindu side of the family, and on the Muhammadan side of the family, is it not a fact that they select men of capacity whose birth and status originally would not come up to a very high standard of qualification?—I do not know. I should be sorry to say. The diwan I know best of all is a gentleman of very high birth. I have no extensive knowledge of Native States.

44158. The first Diwan of Mysore?—I have no knowledge of him.

44159. One general question about your scheme. When your scheme is in full operation, so far as Indians are admitted into the Indian Service, am I right in coming to this conclusion, that they will all have to be nominated by a Commissioner?—I would put that as what I should like to see. Failing it, I would certainly combine this nominating element with whatever else is adopted.

44160. And the nominating element would be a government nomination?—I think I would have a selecting board. I would not deny the representation of non-officials on the final board. I would have a legal member upon the board. I would have the final selection by a committee of the Government of India.

44161. You would have nominations by Commissioners?—Yes.

44162. All the nominations must be made by Commissioners. Your committee of the Government of India is only going to weed out the persons for whom the Commissioners have made themselves responsible?—That was my proposal.

44163. So that the only persons who can get in must be nominated by a Commissioner?—That is what I propose.

44164. (*Mr. Fisher.*) In answer to question (24) you say, "Under the present system, which I look on as a bad one, the number of Natives admitted is actually excessive"?—Yes.

44165. Do you mean that it is excessive for all India, or are you speaking of the United Provinces?—I mean that if we are not going to get a better type of man than we are getting now, it is excessive. We cannot afford to have more men if we are going to get nothing better than we are getting now.

44166. Is your judgment on the results of the competitive system as applied to Indians based upon an experience with regard to the whole of India, or an experience with regard to the United Provinces?—My first-hand experience is small; I admit that freely. I have come into contact with a certain number of these officers; but whatever I have written is mainly a general impression derived from Secretariat records.

44167. Those would be records referring to this province?—Yes, primarily.

44168. With regard to the English candidates, I take it your first object is to bring them out earlier than they come at present?—Yes.

44169. Your second object is to give them much more Indian training and a stronger direction in Indian life?—Yes.

44170. Thirdly, you would preclude the choice of unsuitable candidates?—Yes.

44171. Fourthly, you think it desirable that your candidates should, if possible, receive a University degree?—Yes; if possible.

44172. If it can be combined with the other one?—Yes.

44173. Do you think that a scheme under which English candidates would be elected at 19 at the competitive examination, and would then go to Oxford or Cambridge and take a degree course in Indian studies, mainly vernacular and Law, would meet three of your objects?—I think it would. It would be sacrificing the general culture argument, the argument of the liberal education.

44174. I suppose you could construct a course of studies which would combine a certain amount of political economy and jurisprudence and Indian vernacular, a three years' honours course at the University?—I suppose so.

44175. If such a course were constructed, do you think it would meet your object?—I never took "Greats" myself. I think it would. A lot of people do not think so.

44176. You are aware that your candidates under the present system have to undergo a medical test?—Yes.

44177. Do you think that the test is sufficiently rigid: is it your experience that young men are coming out now who have not the physique to stand Indian life and Indian work?—The test I should say, was always an easy one. I do not know that there is much difference between the men now and the men of twelve or fifteen years ago.

44178. Would you recommend any stiffening of the physical test?—No, I do not think so.

44179. You realise that nobody gets into the Civil Service under the existing conditions unless the Civil Service Commissioners receive good testimonials as to character?—I really never attach weight to these testimonials. I think they are forthcoming rather easily.

44180. I, for one, receive very detailed enquiries as to candidates, which I have to fill up to the best of my ability. It is quite true the test may break down; but would you get a very much stronger one under your scheme?—I am speaking in ignorance. I did not know how searching the test was.

44181. I wish to draw your attention to the fact that there are these two tests. There is one small point with regard to your system of probationary study. You have made some very interesting criticisms upon the method of teaching the vernacular. We have had the suggestion made to us that a young Civilian would pick up his vernaculars quicker if, in the earlier stages of his training, he read his vernacular in Roman characters; that he would be able to read a larger bulk of literature, and get to know the language much quicker?—I should think there is a lot of truth in it. I have been rather impressed lately by the thoroughness of the vernacular study of the American Episcopal Mission. There they put them through a course of vernacular study in Hindustani which puts us to shame. They learn it better than we do, and they do it all through Roman Urdu. We could not do that, because we must learn the characters at some time or another. It seems to me that that might be the easiest way of introducing a man to it.

44182. Are there many books written in Roman characters?—No; but they could be very easily produced. This Mission I speak of issues a substantial magazine once a week or once a month entirely in Urdu.

44183. Therefore, if there was a strong interest in modern Marathi literature or modern Bengali literature, the most effective means would be to put into the student's hands at an early stage a number of Bengali or Marathi books printed in the Roman character?—You will not produce it in any other way.

44184. I suppose it might have the disadvantage of retarding the student's study of the script?—Yes. The study of the script is a thing to be done rapidly, I think. It is like learning shorthand. You have to concentrate hard for a short time. You cannot learn the script gradually. If you go on taking it as it comes you never get better. In the same way you never increase your speed in shorthand writing. It is a matter of deliberately making up your mind to it, and concentrating upon it.

44185. Would you defer the study of the script until they get out to India?—Yes.

44186. And do the literary part of the work in England?—Yes.

44187. Do you recommend the study of classical languages which are most closely allied to the vernacular?—Certainly.

44188. Will you tell the Commission on what grounds you recommeud the study of the classical Indian languages?—I think you never get a scholarly knowledge of the language without some knowledge of the classical skeleton and structure of it. Certainly no one can learn Urdu without knowing something of Arabic. I am generalising.

44189. Do you say that the Civilian who knows Persian or Sanskrit has more common ground with educated and literary Indians?—Very much more common ground.

44190. And that is a really definite advantage?—Yes.

44191. For which some sacrifice might be made?—Yes. In a Muhammadan district it is necessary to know when there is a quotation from the *Koran*. That sort of scholarship is undoubtedly of value.

44192. (*Mr. Madge.*) I gather from your statement that you think the British rule is in a state of transition, going gradually from paternal government into a reign of law?—That is the history of most countries.

44193. You think it has been going a little too fast?—Its pace has been accelerated lately. I certainly apprehend that it is going rather fast.

44194. In putting forward your scheme have you had the idea that the British rule has

revolutionized Indian society, and that whilst doing some good it has also done some harm?—Yes.

44195. You try by your scheme to restore or save some lost causes?—I do not regard the cause as lost: the balance is going against it. We want to bring classes into the Government of India which are in danger of being left out.

44196. You think it important to enlist men who have some influence in their own localities?—Yes.

44197. You are not against introducing a larger Indian element, but you want to see the best?—I think it is essential to do so.

44198. Do you think there is any conflict between the interests of the educated minority and the great masses, or do they all go in one direction?—I think there is a conflict.

44199. Supposing the two were put into a scale, which would touch the ground?—It is a very difficult question to answer.

44200. You may have an opinion: it may be right or wrong?—They may conflict in many ways. If you were to ask me whether a limited and a vocal minority is to prevail over a large inarticulate majority, I think they ought not.

44201. The reason why I put the question is because the opinion of the educated minority has been voiced very fully but that of the masses is inarticulate; and probably an officer of your experience might throw some light upon the subject?—I think your suggestion is quite right: that there is a large volume of opinion in India which has probably not made itself heard before the Commission.

44202. You have come across it in the course of your experience?—Yes. Every district officer must have come across it.

44203. You say that no Indian Civil Service officer can be a good Judge unless he has been an Executive officer first?—Yes.

44204. You require a lot of general experience of the country in every possible office?—That is what I mean.

44205. Do you consider that the administration of justice, which is the setting of wrongs right, is confined exclusively to the technical interpretation of law of righting wrong?—No, I do not think so.

44206. You can do it executively legally?—Certainly.

44207. The Statutory Service appears to have been originally started with getting what you want, but it did not get all you want?—I think it was not very well worked out. I think the Government out here intended to do one thing, and that the Secretary of State intended to do another thing. Between the two of them they did not know, and they had not sufficient directions as to what class of men to choose. Repute was not high. Everyone felt that it was a half-and-half measure.

44208. Do you think it might serve a part of your purpose too?—Yes.

44209. You have very strong opinions about the time-scale; but as regards the division of the superior and inferior officers in the Service, you know there are many who, although they have passed eight years' service, have not risen?—Yes.

44210. Do you think that if the time-scale were confined to that class it would not adjust those wrongs instead of leaving things as they are?—I think it would be less noxious there than anywhere.

44211. (*Mr. Chaubal.*) With reference to your answer to question (7), it is a general answer as regards the whole of India, is it not?—Yes.

44212. Is the expression of that opinion in paragraph 1 given after a knowledge of the antecedents and origin of the persons who have passed through the competitive door?—It is not given after much personal knowledge of public servants outside my own province.

44213. Therefore, we may take it that it is not based upon a knowledge of the Indian Civilians who are employed in the other provinces?—Not a very extensive knowledge.

44214. Is it extensive at all?—The first-hand knowledge is far from extensive.

44215. I should like to know what meaning, exactly, you attach to the words "antecedents and origin" there?—This answer, as I have explained, refers chiefly to these provinces. Its meaning is this, that the appointment of officers by means of competitive examination gives a handicap to those classes who have a natural aptitude for literary study, and therefore for passing the examinations; and, as far as I know, who lack most of the other qualifications for office.

44216. I have no objection to any opinion that suitable servants may have been shut out. My question is directed to the positive expression of opinion that those who have been got in at present are men of unsuitable antecedents?—I do not wish that to be taken as a general expression of opinion. I have no knowledge of that particular class. But I have seen other classes whom I regard as unsuitable getting in.

44217. With reference to this educated and small vocal class, I want to know why you say there is a great volume of unheard opinion?—I call it "unheard" because there is no means known to me by which it makes itself heard.

44218. Do you really think that if there is a great volume of any kind of opinion it should not be heard by people moving about in the country? I want to know why you call it "unheard opinion," if there is a great volume of opinion? You say "The claim is that of the educated and vocal classes. They wish their boys to share the power and the income of the Service, and especially the income."—I will put it, unheard by the Commission. The whole thing relates to the evidence received by the Commission. There is, as far as I know, a great volume of opinion hitherto unheard by the Commission which wishes no such thing.

44219. You did not use the expression "unheard" as against "vocal" in the previous sentence. This opinion seems to me a volume of opinion whispered in the ears of certain persons only?—Yes, I think so.

44220. You are of opinion that the results of the competitive system [which you have expressed in the portion of your answer to question (7), which I pointed out] are such that you would recommend this Commission to give its opinion to the Secretary of State that the open competition door should not be allowed to be used?—I

should prefer not to put it in those words. I should prefer to put it that in the future Indians should be recruited otherwise.

44221. Look at your words in answer to question (11); and am I putting it in stronger words? You say, "I think all Indian recruits should be obtained by selection and training in India?—Yes. I accept that.

44222. I want to put your answer to question (1) and your answer to question (7) together. I now point to the result of what you have stated in (1) that competition has hitherto, to your knowledge, brought in persons who are unsuitable, and therefore the open competition door in London should be shut against Indians?—That is my recommendation. I think you would get better men otherwise.

44223. My question is whether you solemnly think the Commission should report that the open competition door has resulted in such mischief that the Secretary of State will do wisely in shutting the door against Indian students?—I should not put it in that way.

44224. (*Sir Murray Hammick.*) With regard to this important matter of studying a vernacular, can you say how long it takes the officer on the average to pass the vernacular in this province?—I should say from about a year to 18 months.

44225. Coming out with only a year's study in England?—Yes.

44226. It has been suggested to me once or twice that supposing the system of examination was altered, and that men were required to come up say, within two years, and pass a very stiff examination in reading, and prose writing of the language, and the conversational part of the language, with the clear warning that the officer's promotion would be stopped if he did not pass, would not that be a more successful way of obtaining knowledge of the vernacular? It is practically impossible, or ordinarily impossible, for an ordinary man, however much he may work, to arrive at the facility of conversation which is absolutely necessary.—I do not think, certainly, that the final degree of facility of conversation that ought to be acquired can possibly be acquired in the time. I think the whole standard we insist upon at present is too low.

44227. I suppose you would go further and say that a certain number of officers after they have passed the examination become exceedingly callous in acquiring any more knowledge?—Yes.

44228. That seems rather to point to the necessity of extending the examination over a much longer period?—Yes, I think so.

44229. (*Mr. Tudball.*) Are not Sessions Judges called upon to report upon the work of subordinate Magistrates as well as District Magistrates?—Yes.

44230. I presume that a certain amount of attention is paid to the reports of the Sessions Judge?—I presume so.

44231. So that the promotion of a subordinate Magistrate does not depend solely upon the District Magistrate's report?—No: the District Magistrate's report covers many things more. The District Magistrate would naturally tend to leave that side to the Judge.

44232. With reference to appeals in *badmash* cases, does not the revision lie to the High Court?—It does.

44233. The revisions are numerous, are they not?—Yes.

44234. Are they not usually rejected?—Yes, generally, in my experience.

44235. You have considered the question of the pensions which are paid to widows and children of members of the Service? Do you think that the Service gets a fair return for its subscriptions?—I think the average man does.

44236. As a matter of fact, have not reductions been made after every quinquennial audit during the last 25 years?—Yes, I believe they have.

44237. Showing that the figures were too highly pitched in the beginning?—Yes.

44238. On one occasion there was a reduction of 27½ per cent., was there not?—I have no knowledge. I only know that generally there were reductions.

44239. You have expressed an opinion which many of the other members of the Service have expressed, that men to whom a year's furlough is due on half pay should be allowed to change that to six months' leave on full pay?—I think that would be the greatest concession which could be made. It would be very convenient.

44240. Would it bring any increased expenditure on the Government?—No: I do not think that objection was taken to it. I think something was said about an increase in the non-effective charges. The arguments used to kill it were that it would increase the number of transfers.

44241. (*Mr. Kanhaiya Lal.*) Do I understand you say that people care more for the personality of the Judge than for the quality of his decisions?—I think they care more for the personality of the Judge.

44242. Do not they subordinate personality to quality?—I do not admit that the one follows from the other.

44243. You state in your written evidence that district officers and Joint Magistrates have had experience of cases in which Indians who felt aggrieved had asked that an independent enquiry should be made by an Englishman. Have you had such experience yourself?—I have.

44244. Did you find that there was any justification for the complaint?—I did.

44245. Does the fault lie in such cases ordinarily with the man or does the fault lie in his being an Indian?—It lies very largely in the system, and in the public opinion of the country.

44246. It does not lie in the man but in the system?—One reacts upon the other. I think what is wrong is the public opinion.

44247. Are people somewhat diffident in speaking of the shortcomings of the European officers?—Not in my experience.

44248. In another part of your written evidence you state what you heard from the Aligarh Bar, that the Provincial Civil Service attracts only failures from the Bar?—There is a tendency to do it. There is a tendency for the junior civil Bench to be not so good as the Bar which appears before it.

44249. Have you any substitute to propose for the existing system?—No, I have repeated here the suggestion which has been made to me that they should be enrolled earlier, even if they

are appointed later. You should not always get a man who is hesitating between Rs. 175 as an officiating Munsif and doubtful prospects of practice.

44250. What chance will the High Court have of judging of him if he does not put in any practice before a lower court or a District Judge? What period of practice will you consider sufficient?—If my information is right, and they are appointed after five years, on the whole, I think you might cut that down to three years. They are enrolled, enlisted after three years, and appointed after five years.

44251. What would be the period of qualifying practice according to your system?—I have no proposals in this respect. I lay no stress upon any remarks. In whatever I have said about this I regard myself as a mere mouthpiece.

44252. You have no substitute to propose?—Whatever is said here are the proposals made to me by the local Bar.

44253. You have recommended that in cases of transfer a better and more liberal scale of travelling allowances should be granted according to the grades.—Yes.

44254. Would you recommend the same for the Provincial Service?—Yes.

44255. Do you think that the recruitment for the Provincial Judicial Service will improve considerably if you give better salaries?—I think you ought to pay all the Provincial Services better.

44256. What would be the starting salary according to your recommendation?—The Deputy Collectors should get Rs. 300.

44257. And Munsifs?—The Munsifs at present get Rs. 200.

44258. Would you put the Deputy Collectors and the Munsif on the same footing?—There is no reason why they should not be on the same footing.

44259. You would give them Rs. 300?—Yes. It is not the sort of thing I would haggle about at all. I would pay them well.

44260. I suppose you would pay Rs. 200 to the probationary Munsifs?—I understand there is a great demand in that direction.

44261. You further state "It is hard on the Service that they do not get officiating grade promotion?"—I should think that so.

44262. Would you prefer to give officiating promotion in preference to time-scale pay?—Yes.

44263. (*Mr. Fasih-ud-din.*) I find in your answer to question (88), when advocating the present system of the combination of the Judicial and Executive Services, you say "Deputies are more likely to acquit in excess if they have an acquitting Sessions Judge than to convict to excess to please the District Magistrate because he controls the police?—Yes.

44264. I want to know whether this is the opinion held by you about the Deputies of your district or of all the province. I would also ask whether by putting such a low premium upon the judicial independence of the Deputy, you are not cutting the ground from under your own feet and making the present system untenable when you admit that the Deputy is capable of looking up to his superior in the matter of convictions and acquittals?—You want to know whether my opinion is based upon local or general experience?

44265. You say "Deputies are more likely to acquit in excess if they have an acquitting Sessions Judge than to convict to excess to please the District Magistrate because he controls the police." I want to know whether this means that the Deputy is in a position to look up to the higher authorities in the matter of the disposal of his judicial work: is that your meaning? If so, I would suggest that this is cutting the ground from under your own feet, when you advocate the present combination?—I am not sure that I follow you. I am glad to say my experience is not entirely the local experience of Aligarh. I am not prepared in the least to say that the Deputies are peculiarly subservient.

44266. How do you reconcile your views that the present system of the combination of the Judicial and Executive services should be maintained? If you have a man of very poor calibre working under the District Magistrate, who is also the head of the police; how do you reconcile your opinion that the present system should be maintained? That is the point I am driving at. If you once admit that the Deputy is a man of very poor calibre as a Judicial officer, you will have to admit that he should be separated from an officer who combines in himself the powers of the police and of a Judge?—In my experience Deputies are more prone to look to the general tendencies of the Judge under whom they work: that is to say, the sort of scrutiny he applies to evidence. There is great variation, as you know, in these things.

44267. Can the Judge injure his Deputy's prospects?—The Deputy Magistrate, like many other people, is afraid of showing bad results in appeals.

44268. Is it because he thinks the Judge has got more of a grip over him as far as his promotion is concerned?—He knows he is largely in the hands of the Judge in these respects. He knows that a strongly adverse report by the Sessions Judge would damage his promotion.

44269. In spite of the fact that the Deputy is not a man of very superior calibre as far as Judicial work is concerned, you still hold that there should be a combination of the two functions?—I do hold so, and I have made it plain.

44270. In your answer to question (6) about the Provincial Civil Service you say, "Everyone knows that there are all sorts of expenses in tahsils, which cannot go into any published accounts. It is far easier for a Deputy Collector, who mainly sits in court, not to take money than for a tahsildar who is continually having to get things done." That being so, you would hold that a tahsildar has more chances of being open to corruption than a Deputy?—I think the temptations of a tahsildar are greater.

44271. In that case would you still hold the opinion that a tahsildar should be recruited to the Provincial Civil Service in spite of the fact that the rules do not make any special provision for his educational qualifications? Would you still make him eligible for a Deputy Collectorship and maintain the rule that any tahsildar may be recruited in a haphazard way without any special

qualifications being required of him?—I have not suggested it. I say that tahsildars of high ability and probity should be appointed.

44272. You say that the opinion of the majority of the Deputy Collectors is that the selection for the posts of district officer has not been very happy?—I do not know that I have put it quite like that.

44273. In answer to question (16) you say, "they do not think that the two Deputy Collectors selected for district charges owe their position solely to their merits?—That is a different thing.

44274. That is *your* opinion?—It is the opinion of the Deputy Collectors who were consulted.

44275. I should like to know whether the present system of appointing Deputy Collectors to permanent posts, without giving them previous chances in officiating appointments and giving them efficient training, is responsible for this state of affairs?—It may be; I do not know.

44276. The present arrangement is that the Deputy Collector is not given a chance to officiate?—He is promoted in short vacancies up to six weeks.

44277. But that has not been done for the last four or five years?—I am not aware of it.

44278. It used to be done some time ago, but it is not done now?—The rules admit of it.

44279. Would you recommend Deputy Collectors getting officiating appointments as district officers?—Yes.

44280. Do you agree that the Deputy Collector in charge of a sub-division should have more powers as regards appointments and dismissals: under the present circumstances he has no power at all?—I think he has considerable powers. He can dismiss a Patwari.

44281. But he cannot dismiss any man on the regular staff, such as a tahsil muharrir. Will it not conduce to an increase in the tone and status of the Service to give him the power?—There is a difficulty about appeals.

44282. The appeal will lie to the Collector?—I see no objection to that.

(The witness withdrew.)

PANDIT SITLA PRASAD BAJPAI, Subordinate Judge, Lucknow.

Written answers relating to the Indian Civil Service.

44283. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes. It is satisfactory in principle.

44284. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I do not find any objection to it.

44285. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No, but looking to the present college and school life in India none but this particular door seems to be open to Indians for entering the higher service.

44286. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—The Colonials should not be allowed similar privileges looking to their objectionable treatment of Indians.

44287. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.—Yes. It is to the advantage of Indian interests. It is possible that a Britisher may not feel inclined to compete for the Indian Service if a separate examination were held. At present he may elect to come to India if he fails to secure a post in the Colonial Service.

44288. (6) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—*(a)* selection by head masters of schools approved or otherwise: *(b)* selection by authorities in Universities approved or otherwise: *(c)* nomination by head masters or University authorities and selection under the orders of the Secretary of State: *(d)* combined nomination and examination: *(e)* any other method?—Yes. It is sound in principle. I recommend no other system.

44289. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—In my opinion the system of simultaneous examination is not suitable to India for at least ten years to come.

My reasons are the following:—

(i) The educational facilities available in India are not so great as in England.

(ii) The college and school lives in India do not help to the same extent towards development of character and other qualifications in a student as do the college and school lives in England.

(iii) The introduction of this system would lead to the absorption of the listed posts in the Indian Civil Service and the prospects of Provincial Service men would be considerably impaired.

(iv) It will lead to a clamour for communal representation and the efficiency of the Service would suffer.

(v) It will lead to the fixing of a minimum for Europeans.

44290. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

44291. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of separate examination in India or by means of separate examination in each province or group of provinces in India? If so, what proportion do you recommend?—No.

44292. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by

means of *(a)* nomination; *(b)* combined nomination and examination; or *(c)* any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—No.

44293. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I would not recommend any such system.

44294. (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—No.

44295. (13) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—Beyond reserving a certain number of posts for the members of the Provincial Judicial Service and a fifth of that number for the members of the Indian Bar of not less than 15 years' standing, I would have none of these posts taken away from the Indian Civil Service.

44296. (14) Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.—Yes.

44297. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—22 to 25. It is most desirable that an Indian should take his degree at one of the Indian Universities before proceeding to England for completing his education there. Under the present rules he cannot obtain any such degree before attaining the age of 20. He will take three years to earn his degree at an English University. He should then have two years for special training required to compete for the Indian Civil. It is possible that some may require special training for a year only after taking a degree in England.

44298. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the India Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—Yes. The principle is satisfactory and requires no change except in this respect, that a very limited number of the posts of District Judges should be open to the members of the Bar.

44299. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The system of Statutory Civil Service has proved an absolute failure at least in these provinces. The Provincial Service can boast of better men, as would appear from the elevation of some of them to the Allahabad High Court and Court of Judicial Commissioner. The old system created an invidious distinction which was not justified by the educational qualifications of that Service. Its revival would lead to a good deal of discontent and resentment.

44300. (35) To what extent also, during the last five years, have these listed posts been filled—*(a)* by members of the Provincial Civil Service; *(b)* by other "Natives of India"? Please give the names and positions of the latter, if any.—As regards the listed posts in the Judicial departments two, namely posts of Small Cause Court Judges, have invariably been filled by members of the Provincial Service. The posts of District Judge came to be filled up by a Provincial man for the first time in 1909, later on came the other four appointments. On the Executive side the Provincial men got the first appointment in 1911. Of the 9 posts of Subdivisional Magistrates 7 are merged in the Provincial Executive Service, 2 are still retained by Statutory Civilians.

This delay in filling up listed posts with members of the Provincial Service was due to the fact that they had been held by Statutory Civilians.

44301. (38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—Some more posts may be included, *e.g.* post of Registrars of High Court and Court of Judicial Commissioner, Inspector-General of Registration, Under Secretaryship either in the Financial or Judicial department.

44302. (43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I recommend the continuation of the system.

44303. (44) What should be the duration of the probationer's course in England *(a)* under the present system of the open competitive examination, *(b)* under any modification of that system recommended by you?—Probation for some time in England is necessary. If possible, some time should be spent on probation in India.

44304. (45) Do you consider it desirable

that probationers should be required to spend their period of probation in England at an approved University ?—Not necessarily if he has had full twelve terms' residence in a college.

44305. (47) Do you consider that probationers should receive allowances during their period of probation ? If so, please give the scale and conditions that you recommend ?—Yes. Not less than £200 a year.

44306. (48) If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend ?—As an alternative measure attendance at the Inns.

44307. (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases ; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence ; (iii) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instruction ; (iv) the teaching of *(a)* Indian Geography, *(b)* Political Economy, *(c)* Accounts.—I would recommend (ii) and (iii) as compulsory.

44308. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India ?—An Indian should spend his probation in England.

44309. (57) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers.—No.

44310. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of Law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other) and what conditions do you propose ?—For selection to the Judicial branch I would recommend the course for a call to the Bar, for which special allowance should be granted.

44311. (65) Do you recommend any special course of study in Law in India for officers selected for the Judicial branch ?—Yes. Hindu and Muhammadan Law.

44312. (66) Do you recommend any special training in subordinate Judicial posts for officers selected for the Judicial branch ? If so, please give details.—Yes. A year's work on cases of Munsif's jurisdiction, two years' work of Subordinate Judge's jurisdiction.

44313. (88) To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated ? Is any change desirable, and if so, in what directions ?—There should be a complete separation between the magisterial and executive functions of an officer. The Magistrates should be subordinate to and should work under the immediate control of Sessions Judges.

44314. (137) Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions ? If so, please explain them.—To lighten the difficulty now existing in the way of an Indian to compete for the Indian Civil Service I would recommend that the Government should grant one scholarship each year to a candidate selected by each Indian University for his studies either at Oxford or at Cambridge. The scholarship should be tenable for three years at the rate of £250 a year. At present there are only three such yearly scholarships for the whole of India. The candidate should also get his passage money to and back from England. If, after three years' study, he is reported on favourably by his college authorities the Government should continue that scholarship during the fourth year for Civil Service studies unless the means of the candidate's guardian do not require, in the Government's opinion, any such assistance.

As a rule the best boy of the year taking his B.A. or M.A. degree would be selected by the Syndicate of each University, and there would be some probability of his success at the competitive examination. The selection will be made in view of the candidates' academical distinction and character irrespective of caste or creed.

Written answers relating to the Provincial Civil Service.

44315. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration ? —The conditions are on the whole suitable but need one modification only in my opinion. None but Natives of the province should be eligible for appointment in the Provincial Civil Service.

Admission of outsiders leads to a great hardship on the Natives of the province. By way of illustration I would refer to Oudh Provincial Service, Judicial branch, which for all practical purposes is quite distinct from the Judicial branch of Agra Service. In the Oudh Service there are not less than eighteen officers out of a total of 47 who are not residents of Oudh. Of late some practitioners have come to Oudh from the Punjab where the sphere of practice has been somewhat narrowed since the passing of the Land Alienation Act. Agra men claim equality with Oudh men in their eligibility for such posts in Oudh on the ground that both the provinces are under one and the same Administration. If along with Agra men practitioners from other provinces will be held eligible for appointments in Oudh Judicial Service, on the ground of three years' residence in the province, the chances of Oudh men for such appointments would be further minimized.

A concession may be made in favour of sons of those outsiders who may have served or be serving in the particular branch of the Service in the province. There is no province in British India the Natives whereof may be lacking in the qualifications required for recruitment of Provincial Civil Service of that province.

Importation of outsiders may be permissible to

make up the deficiency in the number required for due representation of a community.

44316. (2) Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules now in force are to be found in Manual of Government Orders, volume I, department II, paragraphs 105—116, paragraphs 138—146.

I have to recommend the following modification to the existing rules :—

Provincial Judicial Service.

(i) No appointment should be made direct to a post above the 3rd grade Munsif. The power reserved under paragraph 141 has been exercised only twice in Oudh—once in 1892 and the next time in 1899—and each time it caused a good deal of feeling in the Service. If such direct appointments are made it would be difficult to secure competent men to start in service from the lowest grade.

(ii) The qualifications as to domicile must be the same as required now for recruitment of Executive Service (*vide* paragraph 110, clause 2 of the Manual).

A candidate should be a Native of the province or should have definitely settled in the province before he can be employed in the Provincial Service of that province.

(iii) Every candidate whether directly recruited or promoted from subordinate service must be a graduate of some Indian University, unless he happens to be a barrister.

(iv) Promotion from subordinate service should be confined only to judgment-writers of the Allahabad High Court and Court of Judicial Commissioner of Oudh, of not less than three years' standing. To be eligible for such a promotion the candidate must not have exceeded the age of 35.

(v) Legal attainments of a candidate whether promoted from subordinate service or appointed by direct recruitment should be the same.

He should be either a Bachelor of Laws of the Allahabad University, an attorney, a barrister, or should hold a certificate of the Examination Board that he has qualified for admission as vakil of the Allahabad High Court.

A pleadership certificate implies inferior qualification, and a candidate with such a qualification should not be eligible for direct appointment or promotion from subordinate service.

In case of direct recruitment practice for three years, as required under the present rules, should be insisted upon.

The qualifications as to (*1*) nationality, (*2*) age (except in case of members of Subordinate Service), (*3*) health and physique, (*4*) character and (*5*) knowledge of vernaculars of the province, should remain unaltered.

(vi) No Deputy Collector has ever been transferred to Judicial Service. His emoluments and prospects of advancement in his own line are the same as of the members of Judicial Service. He should not be allowed to compete with the members of the Bar or of subordinate service for such appointments.

Provincial Executive Service.

Only one modification seems necessary and that too as regards educational qualifications of those eligible for direct appointment. Looking to the importance of the magisterial work it seems desirable in the interest of public service that a candidate should be either a Bachelor of Laws of the Allahabad University or should hold a certificate of the Examination Board that he has qualified for admission as a vakil of the Allahabad High Court.

There will be no dearth of suitable candidates possessing such qualification.

44317. (3) Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B, to these questions, and state whether the information is correct for your province. If not, what alterations are required?—It is correct.

44318. (4) Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation.

Judicial Service.

The system of recruitment ever since creation of separate Judicial Service in Oudh have been only two—

(*a*) by direct recruitment,

(*b*) by promotion from subordinate service.

In Oudh there have been two appointments by promotion during the last five years. Of the officers now in service in Oudh seven have been promoted from subordinate service out of a total of forty-seven on the list.

In the province of Agra there are five such officers out of a total of 106.

Oudh.

Prior to 1884 success at a Law examination was not a necessary qualification for appointment to the post of a Munsif. Of the officers recruited under those rules only one is now in service.

Since December 1884 qualifications in Law became indispensible in a candidate for direct appointment to the post of Munsif or for promotion to that post from that of munsarim. Such a qualification was dispensed with only in case of Deputy Collectors, tahsildars and Deputy Registrar of the Court of Judicial Commissioner.

Under those rules a number of tahsildars and two Deputy Registrars were appointed Munsifs in Oudh.

Rules published in the *United Provinces Gazette* dated 8th July 1893, made three years' practice at the Bar a necessary qualification for direct recruitment.

Tahsildars and holders of certain ministerial appointments were made eligible, after three years' service, for promotion to the post of Munsif, provided they had passed certain specified law examinations.

Deputy Collectors of three years' standing were also made eligible for such an appointment, provided they had passed certain Law examinations.

The Government Notification, dated 10th January 1911, published in the *Gazette*, dated 14th January 1911, reproduces these rules with very slight modifications.

The Oudh Munsifs had further to pass a departmental examination after the first appointment and their confirmation depended on their success

in that examination. They had to pass it by the higher standard before their promotion to the post of a Subordinate Judge. This examination was abolished some time between 1898 and 1901.

Of the officers appointed under the rules of 1884 there are nine in service.

The Local Government, in communication with Judicial Commissioner, appoint Munsifs in Oudh. Excepting one case, Subordinate Judges have invariably been appointed on promotion from the post of Munsifs.

Agra.

Under Government Notification, dated 17th May 1881, rules framed under section 6, Act VI of 1871, were published, laying down the qualifications for appointment to the office of Munsif. They were very similar to the rules laid down in 1884 for recruitment of that Service in Oudh. Since July 1893 the rules published in the *Gazette*, dated 8th July, of that year have regulated recruitment of Judicial Service in both the provinces.

Nominations to the office of Munsifs are made by the High Court under section 7, Act XII of 1887, and the persons so nominated are appointed by Local Government.

Subordinate Judges are appointed by promotion from the posts of Munsifs.

44319. (5) Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year.—None in the Provincial Judicial Service. There are very few pleaders in that community. Their knowledge of Urdu and Hindi is very limited. Among the pleaders, such as have good practice do not care to enter Judicial Service. All these grounds combined account for the paucity of members of domiciled Anglo-Indian community in Judicial Service.

44320. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—*Judicial Service.* Recruitment after practice or service as judgment-writer has proved satisfactory. No competitive examination is necessary for recruitment of Judicial Service when the University Law examination and the vakils examination prove sufficiently strong tests of one's attainments.

Munsifs should be appointed on nominations by the High Court and Judicial Commissioner as is the practice at present.

Only such officers should be promoted from the subordinate service to the post of Munsif as have opportunities by virtue of their service to learn Judicial work after success at the Law examination. In my opinion only one post affords such an opportunity, *viz.*, that of judgment-writer. He should have at least three years' experience of that post subsequent to passing the law examination before he can be eligible for appointment as a Munsif.

For the post of Subordinate Judge selection should invariably be made from the ranks of Munsifs, and Small Cause Court Judges should be selected from the ranks of Subordinate Judges.

Executive Service. — Under the existing rules 9 and 10 probationary Deputy Collectorships are to be filled in alternate years by direct appointment and the number is to be made up thus:—

(i) two European or Anglo-Indian graduates of the Allahabad University;
(ii) two distinguished Indian graduates of the Allahabad University;
(iii) two belonging to families which have rendered meritorious services to the State; and
(iv) three from big landowning families.

Graduates with a distinguished academical career are generally nominated by the Vice-Chancellor and selection is thereafter made by the Local Government. I would suggest that the right of the nomination should be given to the Syndicate who have also the privilege of selecting the best student for State scholarship tenable for three years' study at Oxford or Cambridge. Candidates so selected require no competitive test. Their University examinations form a sufficiently stiff test. The final selection should rest with the Local Government.

As regards candidate selected for services of their family, nomination combined with competition seems necessary. To my knowledge no member of Judicial Service has been yet fortunate to find his son appointed a Deputy Collector by direct recruitment. Members of the Executive Service have been specially lucky in this respect. Their services have been considered sufficiently meritorious to merit the appointment of their relations not only in the Executive but also in the Judicial branch of the Provincial Service.

I would suggest that each Commissioner and head of a department be given the power of nominating a limited number of candidates in view of the services of the latter's relations serving under them. The Government may make a selection out of them, if necessary, and the candidates so ultimately selected should undergo a competitive test. The requisite number should be appointed in order of their position in the list.

This will remove all the objections to which the present system of selection is exposed and no Government servant entitled to recognition of his services will have the cause or occasion to complain of special favour to any particular branch of Service.

A similar system may be adopted for selection of relations of the landowning class. In their case the nominations are to be made by the Commissioners alone.

44321. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No standard of communal or class representation in any particular service has yet been officially laid down.

As shown in the quarterly Civil List, corrected up to 1st January 1913, there were on that date 32 Hindus and 15 Muhammadans in Oudh Provincial Judicial Service.

The Hindus would be classed thus caste-wise—

12 Up-country Brahmans, 1 Dakhini

Brahman, 2 Bengali Brahmans, 9 Up-country Kayasthas, 5 Bengali Kayasthas, 2 Khattris, 1 Kshatriya.

It is no doubt desirable that each community should be duly represented, but at the same time it is most undesirable that such representation be forced at the expense of efficiency.

Among the Hindus due representation of each caste in Judicial Service is practically impossible at least for some years to come. Majority of lawyers are Kayasthas. Next come Brahmans and then Khattris. Vaishya practitioners are to be found in sufficient number in the Western districts of Agra province, but not so in Oudh. The Kshatriya community is backward in education, specially in Oudh. The heads of different departments and the Provincial Government have invariably checked over representation of a caste and community.

44322. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—*Judicial.*—Practice for three years or service in certain ministerial appointments after passing the Law examination is considered sufficient to train a candidate for holding officiating appointments. Such temporary appointments afford further opportunities of learning work.

Munsifs on first appointment are placed on probation for a year and are confirmed on receipt of satisfactory reports about their work from the District Judges under whom they served.

I think the present system quite satisfactory.

Executive.—Probationary Deputy Collectors are under training for one year. On first appointment they are attached to districts for the purpose of making themselves acquainted, under the supervision of sub-divisional officers, with the various departments of work with which Deputy Collectors have to deal. They have to pass the departmental examinations and remain on probation for a few years. Their confirmation depends on their success at the departmental examination and satisfactory reports from the Collector about their work.

44323. (10) Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—There is no departmental examination for Judicial Service nor is any needed.

44324. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—Yes. Subordinate Judges of two years' standing should be invested with powers of Assistant Sessions Judge, if considered fit by the Judicial Commissioner or the High Court. This would prove a training for the more important work of a Sessions Judge.

44325. (12) What is the system on which the strength of the Executive Judicial branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—The strength of Judicial Service is fixed on the quantity and nature of work. That in my opinion is the only satisfactory basis for determining the strength of the Service. The subject has of late been exhaustively dealt with by the Greeven Committee after a careful enquiry, and it will be premature to express any opinion until the standard of average work fixed for each court by that Committee has been given a trial for at least ten years.

44326. (13) In particular, is the leave reserve adequate, and the system on which it is graded suitable?—No allowance has been made in these provinces for a leave reserve.

44327. (14) Is there any reserve for officers under training and is it adequate?—The practice in these provinces has been to supply leave vacancies by employing pleaders as temporary Munsifs. Under the Greeven scheme there will be now 14 probationers. It will be premature to hazard any opinion on the scheme until it has been given a fair trial.

44328. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—*Oudh Judicial Service.*—There is no uniformity in recruitment as recruitment depends mostly upon retirements.

Flow of promotion has not therefore been even.

Oudh Judicial Service came to be organized first on the 1st August 1879. The service at its commencement was mostly manned by officers drafted from the Executive Service. Officers who entered Service before 1889 had therefore earlier promotion from one grade to another as compared to those who came in within the next seven years. Officers who got substantive appointments in 1899, 1901, 1903, 1905, 1906 and 1907 had similar early promotion.

The following table will show the comparative difference :—

Name.	Date of substantive or sub. pro tem. appointments.	Date of promotion to 2nd grade.	Date of promotion to 1st grade.
1. Pt. Durga Datt Joshi ..	18-8-'87	15-4-'92	1-4-'94
2. Khan Bahadur Munshi Taj-ud-din.	5-11-'86	1-12-'91	25-4-'98
3. Pt. Tribhuvan Nath ..	6-11-'89	31-10-'92	20-3-'96
4. B. Ram Prasad ..	1-4-'89	31-1-'94	30-6-'99
5. B. Kishen Kumar ..	1-1-'92	21-4-'99	8-2-'03
6. Pt. Sitla Prasad Bajpai ..	10-5-'92	13-4-'01	14-5-'08
7. Maulvi Ain-ul Haq ..	31-10-'92	28-3-'02	8-2-'04
8. Maulvi Abdul Ghani ..	25-4-'93	16-1-'03	1-11-'04
9. B. Kali Charan Bose ..	1-4-'94	16-1-'03	1-11-'04
10. Pt. Hazari Lal.. ..	1-12-'99	1-11-'04	17-5-'09
11. B. Shanker Dayal ..	27-1-'01	23-12-'05	11-12-'10
12. S. Muhammad Raza ..	28-2-'02	9-4-'06	27-3-'11
13. M. Badr-ul Hasan ..	16-1-'03	3-3-'07	29-4-'11
14. M. Muhammad Latif ..	8-2-'03	7-11-'07	1-5-'11
15. B. Bhudhar Ch. Ghosh ..	14-5-'03	23-4-'08	1-5-'11
16. Pt. Raghubar Dayal ..	8-2-'04	3-6-'08	4-1-'12
17. Pt. Ram Prasad ..	7-8-'04	7-5-'09	22-9-'12

44329. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—For posts above Rs. 400 selection is made not only by seniority but by seniority coupled with merit. No change in that system is desirable.

44330. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The present system of promotion among the Munsifs does not attract good men from the Bar and efficiency of service suffers on that account.

In my opinion Munsif's pay should be fixed on a progressive scale and grade promotion should come every fifth year till Rs. 400 grade is reached. Thereafter promotion should depend upon vacancy in the higher grades.

Selection for higher appointments is made at a very late stage when an officer does not retain sufficient energy or aptitude required for discharge of higher responsibilities as District Judge.

Since the scheme of 1892 came into force only four Subordinate Judges have secured the appointment of District Judges.

Name.	Appointed Additional District and Sessions Judge	Age on that date.	Date of confirmation.	Age on that date.
1. (Oudh) Rai Bahadur Kunwar Parmanand	6th February 1909.	48	13th November 1911.	50
2. (Agra) Rai Bahadur Pandit Pitambar Joshi.	29th May 1911	50	19th December 1911.	51
3. (Oudh) Pandit Durga Datt Joshi.	Appointed District Judge, sub. pro tem., 13th November 1911.	49	..	
4. (Agra) Khan Bahadur Maulvi Muhammad Shafi.	28th January 1913	53	..	

Selection should usually be made after five years' trial as a Subordinate Judge, the last three years of which term should further be spent in learning criminal work as Assistant Sessions Judge.

An officer makes his mark while serving a a Munsif. He should be confirmed in the post of Subordinate Judge before he is invested with the powers of an Assistant Sessions Judge. If he is found fit for criminal work after three years' trial and has at the same time given sufficient proof of his efficiency in civil work he should be selected for the post of District and Sessions Judge.

A similar rule should regulate promotion from the Provincial Executive service. Up till now only two officers have risen to the post of Deputy Commissioner.

Name.	Date of appointment as Deputy Commissioner.	Age.
1. Khan Bahadur Syed Muhammad Hadi.	4th January 1911	47 years.
2. Rai Bahadur Chaudhri Maharaj Singh.	23rd August 1911	51 years.

Looking to the nature of a Collector's work, selection for that post should be made before attaining the age of 45. A Deputy Magistrate's merit can be sufficiently judged in ten years' service. If found fit for higher work he should be selected for the post of Joint Magistrate, 2nd grade, now merged in Rs. 400 grade of Deputy Collectors. He should then work his way up to the Collector's post through the next higher grade of Joint Magistrate.

In my opinion there should be no compulsory retirement. An officer is on probation sufficiently long to have his capacity tested by his superiors. His confirmation proves official recognition of his fitness for the post. Stoppage of promotion is the only remedy to be applied if an officer shows no signs of improvement in his work after confirmation.

44331. (18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The Executive officers exercise powers of Assistant Collectors under the Rent Act and magisterial powers under the Code of Criminal Procedure.

The officers of Judicial department exercise Civil Court powers under the Civil Courts Acts applicable to Oudh and Agra Provinces and officers appointed as Assistant Sessions Judges exercise powers under the Code of Criminal Procedure and are further invested with the powers of Additional District Judge. There should be division of criminal and executive work and Magistrates should have a complete divorcement from the Rent Act and executive powers.

44332. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—After consideration of the Public Service Commission's recommendations and the Local Government's view thereon, the Government of India, under notification, dated the 12th January 1893, threw open for the Provincial Service four posts of District and Sessions Judges and two of Small Cause Court Judges. As a matter of fact the office of Small Cause Court Judge, Allahabad, has been held by a Subordinate Judge of Agra province since August 1882, and that of Small Cause Court, Lucknow, by an Oudh Subordinate Judge since June 1882.

No Provincial Service man got any permanent post of a District and Sessions Judge before 1909. In that year one other post of District and Sessions Judge was thrown open to the Provincial Service and then it was that a Provincial Service man

was appointed for the first time as a permanent District and Sessions Judge. It took sixteen years to put the scheme in force as regards the posts of District and Sessions Judges and the fifth post went to a Provincial Service man in January 1913.

This delay was due to the fact that no Provincial Service man was considered eligible for such posts so long as they were held by Statutory Civilians. This naturally caused a good deal of dissatisfaction in the Provincial Service as the members of that Service were in no sense inferior in qualifications to Statutory Civilians. On the contrary, it was the Provincial Judicial Service that supplied officers for the posts of High Court Judge and Additional Judicial Commissioner.

The Provincial Judicial Service consider these appointments as specially reserved for them. By training and experience they alone are fitted for these posts. If members of Provincial Executive Service are made to share these posts with the Judicial Service the latter's scope of promotion would very much be restricted. On one occasion a Deputy Collector in Oudh had to officiate for some time at Sitapur as District Judge and this caused some feeling in the Service. On two earlier occasions Deputy Collectors were gazetted for temporary appointments as District and Sessions Judge, but the notifications were cancelled, probably on a strong representation by the Allahabad High Court.

Posts of Assistant Sessions Judges have been in existence since 1902, to train a Subordinate Judge sufficiently in criminal work and thereby to equip him for the post of a Sessions Judge. A Provincial Judicial Service man never expects to get any listed appointment on the Executive side and an official pronouncement is therefore necessary to make the listed judicial posts a close preserve for Provincial Judicial Service only.

I would suggest that the number of District Judge's posts to be thrown open to Provincial Judicial Service should be raised to a third of the total strength, *viz.*, 10.

The posts of Registrars of High Court and Judicial Commissioner's Court should also be made listed appointments.

44333. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No. These posts should retain their original character. Filling up of these posts with Provincial Service men would mean their selection for listed posts at the proper time, and would prove a great incentive to improvement in their work.

44334. (21) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—So long as the difference exists in the privileges and status of the two Services, it is no use classing the two Services under one and the same designation. The present nomenclature may be maintained.

44335. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-7, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

44336. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general re-organization effected, and what improvement of prospects was effected thereby?

Oudh Provincial Judicial Service.

Post.	1st April 1890.		1st April 1900.		1st April 1912.	
	No.	Pay. Rs.	No.	Pay. Rs.	No.	Pay. Rs.
1. Judge, Small Cause Court, Lucknow.	1	800—40—1,000	1	500—40—1,000	1 1	800—40—1,000 800 Addl. S. C. Judge.
2. Sub-Judge, 1st grade.	3	800	3	800	2	800
3. Sub-Judge, 2nd grade.	3	700	3	700	3	650
4. Assistant Sessions Judge.	Nil		Nil		1	500
5. Sub-Judge, 3rd grade.	6	500	6	500	8	500, inclusive of one Addl.
6. Munsif, 1st grade.	6	400	6	400	8	400
7. Munsif, 2nd grade.	6	300	6	300	8	300
8. Munsif, 3rd grade.	13	200	13	200	15	200, inclusive of five Addl.

The last re-organization took effect on the 1st November 1904 under the United Provinces Government Notification, dated 23rd November 1904. The following table would show the difference between the number of posts and the pay attached to them on the 1st October and 1st November 1904:—

Oudh.

	1st October 1904.	1st November 1904.
Judge, Small Cause Court.	1 on Rs. 800—1000	1 on Rs. 800—1,000.
Assistant Sessions Judge.	Nil.	1 „ 600.
Sub-Judge, 1st grade	3 on Rs. 800 each	2 „ 800 each
Do. 2nd „	3 „ 700 „	3 „ 650 „
Do. 3rd „	6 „ 500 „	7 „ 500 „
Munsif, 1st grade ..	6 „ 400 „	8 „ 400 „
Do. 2nd „ ..	6 „ 300 „	8 „ 300 „
Do. 3rd „ ..	10 „ 200 „	10 „ 200 „

Prospects of a new man in the Munsif's line no doubt improved but the prospects grew worse beyond that line. In view of the gradation and scale of pay originally fixed in 1879 the prospects by this reorganization decidedly became less favourable. The average pay per head under the scheme of 1879 was 403 per head per month, but under the new scheme it was reduced to 387.

In 1884, two extra posts of Munsifs were created and all added to the 3rd grade. In 1886 another such post was added to that grade. Representations were made in the Provincial Council during the budget debates to improve the prospects of Munsifs by putting an equal number in each grade.

Under the scheme of November 1904 the regradation in the Subordinate Judge's line and reduction in pay of a 2nd grade Subordinate Judge more than counterbalanced the gain secured by regradation in the Munsif's line.

The next re-organization would come under the Greeven scheme. The number of posts for the Provinces of Oudh and Agra combined, as recently sanctioned by the Secretary of State, stands thus :—

4	on	Rs. 800—40—1,000.
10	„	800.
13	„	650.
22	„	500.
32	„	400.
34	„	300.
34	„	200.
14	„	175.

Three posts of District and Sessions Judges have further been thrown open to Provincial Service. But for these posts I do not think the scheme has improved our prospects to an appreciable extent.

44337. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. The costs of living and education have considerably increased since August 1879, when the Judicial Service in Oudh came to be first organized. Of the Indian members who then entered service only one was a University graduate, but now there are only 6 out of a total of 47 who have not attained any University degree. Since 1879 the standard of living has undergone a change and has therefore become more expensive.

To attract good men the prospects in service should be commensurate with their qualifications. When a practitioner has to choose between the Bar and the Bench he has to compare his future prospects in both the lines at certain definite intervals. A competent practitioner expects to earn and lay by more in the profession than in the service. To secure certain advantages available in service he has to abandon the prospects in the profession, but he would not do this if the sacrifices he has to make more than counterbalance the gain. The present starting pay, the present system of promotion in the Munsif's grades, and the present gradation of higher posts do not make the service sufficiently attractive to competent practitioners. I would recommend the following alterations for Oudh Service :—

	Rs.
One post of Sessions Subordinate Judge ...	1,000
One post of Small Cause Court Judge ...	800—40—1,000
One post of Assistant Sessions Judge ...	800—50—900
One post of Additional Small Cause Court Judge ...	800
Two posts of Subordinate Judges, 1st grade ...	800
Three posts of Subordinate and Assistant Sessions Judges, 2nd grade ...	650
Seven posts of Subordinate Judges, 3rd grade ...	500
Munsifs on time-scale salaries of Rs. 400, Rs. 300, and Rs. 250 grade, promotion to be given after completion of four years' service in each of the last two grades.	Rs.
Probationary Munsifs ...	200

The educational qualifications of a Munsif are decidedly superior to those of a Deputy Collector. There seems no reason why the former should draw 20 per cent. less than the latter in the initial stage of his substantive service. The Greeven Committee had recommended the same initial pay and progressive salary.

A competent practitioner cannot be had on a salary below Rs. 200 to start as a probationer if three years' practice be insisted on as an indispensible qualification.

44338. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. There should be grade promotions in case of officiating vacancies.

44339. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—I would recommend time-scale of salary only in the Munsif's grade. Increase in pay should be allowed every fifth year so that one may attain Rs. 400 grade after eight years' substantive service. He should remain on that pay till his turn comes for promotion on the occurrence of a vacancy in the higher grade, provided he fulfils the merit requirements for such promotion.

44340. (27) As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

44341. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes. Looking to the fact that Europeans have to serve in a foreign land while the Indians have to serve in their own province a difference in pay is quite justifiable. The initial pay of the District Judge, lowest grade, should be Rs 1,100 monthly.

44342. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—As a rule Indians very seldom take long leave. Privilege leave is the only leave that they generally avail themselves of. When forced by considerations of health they go on leave on medical certificate.

Since the introduction of vacation in Oudh, the Judicial officers of the Provincial Service do not avail themselves of privilege leave except when forced by illness or other pressing necessity. The reason is that such leave costs them half their salary for the leave period. This vacation system was introduced in 1901.

44343. (32) Is all the leave on full pay

due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—This question does not concern the Judicial Service since the rules as to privilege leave on full pay do not apply to them.

44344. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—First part, no. Second part, yes.

44345. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes.

44346. (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes. Except in the case of medical leave. I think half pay should be allowed for the entire period of medical leave available under the rules.

44347. (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave and the leave allowances admissible are suitable?—I would recommend the system of long leave as proposed under the Government of India letter No. 674-C.S.R., dated the 19th October 1912, subject to this modification, that the long leave to be earned should not fall below two-fifths of the actual service.

44348. (37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—None to my knowledge.

44349. (38) In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—No.

44350. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian service as suitable?—The present rules regulating the grant of privilege leave seriously affect the Judicial Service. The rules regulating grant of long leave affect seriously both the branches of Provincial Service.

The question of privilege leave to Judicial Service on full pay was considered by the Greeven Committee after an exhaustive enquiry. The Committee recommended grant of privilege leave on full pay for fifteen days and without pay for the rest of the month with the right of accumulation for three years and of affixing the leave to the annual vacation. The Committee further recommended the grant of vacation in June. These recommendations were finally rejected by the Government. The annual vacation was forced upon the Oudh Service much against their will.

The grant of vacation was first suggested by the late Raja Rampal Singh of Kalakankar at a meeting of the Provincial Legislative Council held on the 25th November 1899. The Government sent a circular letter to all the officers of Oudh Provincial Judicial Service inquiring if they accepted the Raja's suggestion. The Service in a body went against that suggestion.

The question was re-opened in 1900 by the late Mr. Ross Scott, then Officiating Judicial Commissioner, who suggested the closing of courts in June and the Service ultimately assented to substitution of a fixed vacation for privilege leave on the explicit understanding that the vacation was to be given in June. This substitution was sanctioned by the Government of India, but the period of the vacation was transferred to September and October. This period of vacation includes the Dasehra, Pitri Bisarjani, and Anant Chaudasi holidays covering ten days in all, and after deducting that period out of a month's vacation only 20 days are left to compensate the loss of a month's privilege leave on full pay. In heavy districts some portion of the vacation is spent in writing judgments which could not be expedited through press of work. What is intended to serve as a compulsory period of repose sometimes turns out to be little better than court days.

Another disadvantage which tells heavily on the Hindu officers, other than Bengalis, is the unsuitability of September and October, on religious grounds, for performance of marriage or investiture of a boy with sacred thread. These ceremonies as a rule necessitate leave and one has thus to lose half his pay by taking privilege leave, when he needs money most.

June is the hottest part of the year and the public as well as the officers will welcome the closing of courts in that month. In Bombay, Madras, and the Central Provinces courts are closed for a month during the summer. It is an anomaly that only for the purposes of vacation we should follow Bengal. With the Bengalis Durga Puja, which falls either in September or October, is the biggest festival, but the up-country Hindus do not treat it in the same light. The reasons for which the vacation is so timed as to include Durga Puja are not applicable here.

I would recommend that the vacation should fall in June and the Government should allow privilege leave on full pay for fifteen days and for the balance of the month on half pay with right of accumulation for three years, and should further grant the privilege of taking the leave to the vacation.

As regard long leave with allowance the Government have circulated lately the proposals for modification. I would recommend that the period of such leave earned should be two-fifteenths of actual service, and that one out of every ten years of service, earned towards long leave, should count towards service. The maximum period to count towards service may be put at two years. A distinction should be made as regards leave on medical certificate and the maximum period thereof may be put at three years.

44351. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—No. If once an officer is confirmed in his appointment

he should not be removed from service except on the ground of misconduct.

If his inefficiency was not discovered during the term of his probation he is not to blame for it. His promotion should be stopped soon after discovery of his inefficiency. If he wants voluntary retirement he should be allowed the pension he has earned.

44352. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Rs. 6,000 yearly as the maximum.

44353. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—No. I have only two modifications to suggest: (i) compulsory retirement on attaining the age of 55; (ii) voluntary retirement on half pay on completing 25 years' service.

An Indian remains hardly fit after the age of 55 to perform satisfactorily the judicial functions after 25 years' work involving continual mental strain. At such an age the brain power is generally on the wane. A suitor who pays so heavily in the shape of court fees and lawyers' fees is entitled as of right to the services of an officer capable of exercising mental capacity which the nature of the work demands. An officer at such an age by nature requires repose but is tempted to stick to service simply for gain. If incapable of turning out good work he has no right to such gain at the expense of the public. His retention in service further entails hardship on competent juniors who are deprived of their well-earned promotion for the time being.

44354. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The Provident Fund has been started lately and I do not think many officers have availed themselves of this system. Life Insurance system has been adopted to some extent, and it would be a great advantage if the Government would increase the maximum limit of Postal Assurance.

PANDIT SITLA PRASAD BAJPAI called and examined.

44355. (*Chairman.*) You are a member of the Provincial Civil Service belonging to the Judicial branch?—Yes.

44356. You are a Subordinate Judge of Lucknow?—Yes.

44357. How long have you occupied your present position?—I have held my appointment as a Sub-Judge since 1903, barring an interval of about a month and a half and was posted at Lucknow in February 1908.

44358. You think it would be premature to introduce simultaneous examination in England and in India?—Yes.

44359. Amongst other reasons, because it would bring to a head the question of a minimum proportion of Europeans?—Yes.

44360. And also because, in your opinion, it would lead to the re-absorption of the listed posts in the Indian Civil Service?—Yes.

44361. You attach great importance to the listed post system in the interests of the Provincial Civil Service?—I do.

44362. You would like to see it extended?—That I have stated in my written evidence.

44363. At what period of an officer's service would you like to see him promoted from the Provincial Civil Service to a listed post?—Not less than 15 years: it may be more; but not less than 15 at any cost.

44364. That would enable him to enter the listed post at about 40?—Yes.

44365. Do you think that officers are too old by the time they have reached these listed posts?—Yes. I have shown in my written evidence that there have been only four appointments until now [*vide* reply to question (17) Provincial Civil Service]; and if you take the appointments until January 1913, you will find that not one of them has attained that position until he has been 48 or 49. The gentleman who got the appointment in 1899 was one who started as a Small Cause Court Judge. The next man started on Rs. 700; that was in 1899. He did not get the appointment till 1911 in spite of all the advantage in his favour.

44366. Assuming you get your officer promoted comparatively quickly, what effect do you think that will have on the minds of the rank and file of the Provincial Civil Service?—That would rather lead to improvement in the quality of work, because he will find that his work has been rewarded. I am not going to make invidious distinctions. There was a time when the Judicial Commissioner promoted men by merit, and that had a salutary effect upon the Service. The confidence of the public increased.

44367. The effect of that would be that the officer promoted would pass over a great many other officers' heads?—There are very few people who are superseded in our service, so far as my experience goes.

44368. Do you think that the officer will be able to be promoted to a listed post after 15 years' service without being put over the heads of a great number of officers?—He attains the position of Subordinate Judge in ten years, and he will have five years' experience before rising further in service.

44369. That is not the point I am trying to elicit from you. What would be the effect on the minds of officers when an officer is promoted over their heads?—It will have a very bad effect if competent seniors are superseded.

44370. Do you think that it will have a discouraging effect upon the rank and file of the Provincial Service who are left behind?—Provided they are passed over for insufficient reasons.

44371. Will it not be inevitable, if you promote an officer of 15 years' service to a listed post, that he should pass over the heads of a great many officers?—What I say is that he should be

marked for a listed post after 15 years' service If his seniors are competent they would not be passed over. He ought not to be promoted to a listed post unless he has put in 15 years' service.

44372. When the officer is selected to the listed post, would that have a discouraging effect upon those officers who are left behind in the Provincial Service?—Ordinarily he would not be selected if his seniors are competent.

44373. You refer in one of your answers to the Oudh Provincial Civil Service Judicial branch. Are the Oudh officers kept in any way distinct from those of the United Provinces?—They are.

44374. Is this the same in the Executive branch too?—No. That was sometime before; but since the jurisdiction of the Board of Revenue has been extended over the province of Oudh, that dual system has been abolished.

44375. It is a separate system as regards the Judicial branch?—Yes.

44376. You say there are 18 officers who are not residents of Oudh?—Yes.

44377. Where do they come from?—Mostly from the province of Agra, the sister province.

44378. You suggest that in future they should be resident Natives of the province?—Yes.

44379. You made certain reservations in order to allow others to come in?—Yes. As far as the service in Agra is concerned, men from Oudh have never been recruited. That is a great hardship upon the Oudh people because Agra men are taken in Oudh.

44380. You think it will improve the Administration if residents of the province are appointed to these posts?—That I do not say; but what I submit is this: if for one province you recruit men from different provinces, but do not allow the same facilities to the Natives of that province in other provinces, it will have a bad effect upon the natives of that particular province.

44381. You would like to see reciprocity?—Yes.

44382. You say, in answer to question (2) of the Provincial Civil Service questions that no appointments should be made direct to posts above 3rd grade Munsifs?—Yes.

44383. You say that two such appointments were made in 1892 and 1899, and have caused great discontent?—Yes.

44384. Can you tell us from what class these appointments were made?—They had been made from practitioners who had been long at the Bar. One gentleman who got the higher appointment passed in the same year as some of the other people in the province. He was put over their heads and that caused discontent.

44385. You would not like to see that practice continued?—No.

44386. That is how recruitment from the Bar is regarded?—If they have to enter the service they should start from the lowest post.

44387. You mean, work their way up?—Yes.

44388. You appear to have some objection to the way nomination is worked in your province. Would you favour a system of nomination by the establishment of a Board of Selection? I see you suggest that the right of nomination should be given to a syndicate. Would you like to see that system carried out by a board consisting, say, of certain members representing the Government and certain non-official members?—I would have no objection to that. The syndicate would have to find out the academical distinction of a candidate.

44389. That is the form of nomination you would prefer?—Yes.

44390. You are not very well satisfied with the leave rules applicable to your service?—No, especially the privilege leave rules.

44391. What do you want?—I have submitted that I want 15 days on full pay, 15 days on half pay, accumulation for 3 years, and the right of tacking leave on to the vacation.

44392. You suggest the month of June?—Yes; and it was on that understanding that the whole of our service climbed down and assented to the vacation system.

44393. Is not the month of June a very busy month?—Not for the service. The work is slack. It is the time when the agriculturists reap their harvests. They do not come to court, and that is the time we require rest most.

44394. It is for more than a month you ask?—Not as vacation. Only one month's vacation, and one month's privilege leave.

44395. It comes to a month and a half at one time?—Yes.

44396. Why do you ask for more than a month?—Because they want to make the vacation compulsory. If they take away the vacation we do not object. Let us have our privilege leave on full pay. We cannot afford to go on leave. We are mulcted of half our pay. During the vacation the courts have at times to finish some big judgments for which they get no time during the working days that practically it is no vacation at all.

44397. In answer to question (42) you say that an officer if he is once confirmed in his appointment should not be removed from the service merely on the ground of inefficiency?—Yes.

44398. You suggest, I think, that his promotion should be stopped?—Yes.

44399. Do you think that will add as a rule to the efficiency of the Administration?—I know this has been done in this province. If he has served three or four years and you do not detect his inefficiency, it would be a hardship to turn him out then.

44400. Are officers now retired compulsorily on the ground of inefficiency?—I have seen none.

44401. Would you favour the proposal which has been made to us by a great number of witnesses that inefficient officers should be so retired?—I would fix a term of two or three years' and if that term is over without detection of his inefficiency then, of course, he should not be dismissed.

44402. You mean to keep him on trial for the first two or three years of his service, but afterwards to let him run on however inefficient he may become?—You will find out whether he is efficient or inefficient as far as his judicial work is concerned. I should say that within two months you could find out whether a man is working efficiently or not because his work comes up in appeal before higher authorities.

44403. How can you make certain? Because he is efficient in the first two years what guarantee have you that he will be efficient for the remainder of his service?—As far as a munsif's work is concerned, it is all the same up to Rs. 400 grade. There is no difference in the nature of his work up to that limit. It is the same work he has to do all through.

44404. You would not favour the proposal to retire an officer, however inefficient he might be?—In my humble submission, theoretically, it may not be all right. I do not know any officer working as a munsif who could have been found inefficient for that work.

44405. Do you find generally that officers in your branch of the Service are over-worked?—They were; but since the introduction of the Greeven scheme (it has been put into force on this very day) the work will be lightened now.

44406. It will remove the congestion of work?—Yes. I submit that at least a fair trial should be given to it before another system is thought of.

44407. So that you have no proposals to make with regard to that. You would let it work itself out, in order to see how difficulties can be remedied?—Yes.

44408. (*Sir Murray Hammick.*) I do not understand your arrangement for these listed appointments. What do you mean when you say here that "If the members of the Provincial Executive Service are made to share these posts with the members of the Judicial Service, the latter's scope of promotion would be very much restricted?" Has the Executive Service been given Judgeships?—No. It has not been officially declared that these posts are confined to the Judicial Service.

44409. It is only a fear that you have?—It is a fear which is justified by the notifications issued in 1895. Two officers were gazetted, as District Judges, *viz.*, Babu Harnam Chander Seth and Babu Baleshwar Prasad, and were it not for the representation made by Sir John Edge, we should have seen Deputy Collectors appointed as District and Sessions Judges. The third time one Deputy Collector was temporarily appointed a District and Sessions Judge at Sitapur.

44410. You say that selection for that post can be done before attaining the age of 48?—Yes.

44411. That is to say, you want a man younger than 15 years' service to be given a listed post in the Executive branch?—I submit that the listed posts in the Executive branch do not mean listed Collectors' posts only. The listed posts include the Joint Magistrates' posts too.

44412. They have been merged in the listed posts? You have no Joint Magistrate listed, have you?—It is a question whether people prefer the merging. I say they do not. My answer is based upon that assumption, namely, that they will have Joint Magistrates separately designated. The proposal I make is based upon the assumption that the cadre of Joint Magistrates will be kept separate from the posts of Deputy Collectors. I treat a Joint Magistrateship as a listed post, as I do a Small Cause Court Judgeship.

44413. You wish Joint Magistrates listed: they are not listed now: they have been merged: you wish them taken out?—Yes.

44414. You would like to see an officer of the Provincial Civil Service tried for a few years and put into a Joint Magistrate's post?—When a man has attained the Rs. 400 grade he may be put into the cadre of a Joint Magistrate, if fit.

44415. Then he would rise from Joint Magistrate to be Collector?—Yes.

44416. What would be the advantage of that? Surely the Provincial Service would rather suffer in the way that senior men would get no promotion at all: you would have young men put in after five or six years' service into the Civil Service as Joint Magistrates, and the senior Deputy Collectors would have no chance of getting anything?—Probably they will get officiating chances, on the occasion of privilege or long leave. The senior men so selected would be in the Rs. 600 grade.

44417. Nothing more?—Nothing more.

44418. Would not that be a great disappointment to the senior men in the service?—There would be the Rs. 400 and Rs. 600 grades. In my humble opinion it will not be a disappointment, because they will become Collectors earlier and would not be losers if they do not get into Rs. 700 and Rs. 800 grade Deputy Collectorships.

44419. Take the Judicial Service. What do you propose to do there? Do you propose that the Sub-Judgeship should be listed into a Small Cause Court appointment?—No.

44420. What proposal are you going to make; when is the Subordinate Judge to get his listed post?—When there is a vacancy.

44421. How many years' service: is he to be put in straight as a District Judge?—No. He will have to work as a Subordinate Judge. He will be a Subordinate Judge after 12 years' service.

44422. Not exercising sessional powers?—No.

44423. When will he get his District Judgeship?—Say about 22 years after entering service.

44424. Your agreement for the judicial is very different from the old arrangement for the executive. The executive man is to get his appointment in six or seven years; your judicial man is to wait until he has 22 years' service?—We have not got any such post like that of the Joint Magistrate's post, and that is the reason. The training in the criminal work will start after about 12 years' service, when a man becomes a *pucca* Subordinate Judge.

44425. You will then constitute him a District and Sessions Judge?—Yes.

44426. In the Judicial Service your senior men would be better off and your junior men would not be so well off. Your junior men would get no listed appointments, but the senior men of 22 and 25 years' service would have a chance of getting listed posts, which would not fall to the lot of the Executive Service?—If the Executive Service got more listed posts in their branch they would not be sufferers.

44427. If they list Joint Magistrates, the young men listed in the Joint Magistrates will rise to Collector's posts. There will be nothing left to the older Deputy Collectors?—It has not been done until now. If they are competent they will not be passed over.

44428. Do you not think it would be rather a good thing if you allowed promotion from the two senior ranks into the Collector posts: do you not think it would be better to take senior men of the Deputy Collector grades and make them Collectors rather than take junior men and make them Joint Magistrates, to rise to be Collectors?—If the system I have advocated is followed, the junior men will become senior in course of time by sheer merit; but if this system is not followed, as in the Judicial Service, the senior men will be taken in to fill up the posts of Collectors. We have had no training in Sessions work until a few years ago. I can point out two instances between January and April this year of two Subordinate Judges appointed District Judges by virtue of seniority, and in the ranks of Deputy Collectors present senior men will be Collectors without working as Joint Magistrates.

44429. With regard to the vacation, is it not the case that in Agra and Allahabad High Court the Munsifs and Sub-Judges take the vacation at Dasehra?—That is so.

44430. Is it not also the case in Bengal?—Yes.

44431. Why do you want special arrangements made for Oudh?—If you look at the memorial submitted by Agra to the Lieutenant-Governor, you will find that they are not in favour of the vacation being at Dasehra. The provinces of Upper India do not attach so much importance to the Dasehra as the Bengalis do. We do not want the Dasehra at all. The present system is the relic of those old days when we had one Sudder court at Calcutta for the Lower and North-Western Provinces.

44432. How long is the chief vacation?—One month, out of which ten days are to be subtracted on account of Durga Puja and other holidays. We get 20 days' compulsory leave in lieu of 30 days' privilege leave on full pay.

44433. You would like to get one month's leave in June and reduce the Durga Puja holiday?—Yes.

44434. (*Mr. Madge.*) You have stated that the Statutory system has caused a great deal of discontent?—Yes. I have given my reasons. The selection was very indifferent in Oudh. The men were selected, and the result was that two of them were considered incompetent, and they never got districts. Five of them got Judgeships. Three others never got districts permanently.

44435. Consequently, it was not wholly a bad system, nor were all the selections bad?—I do not say that all the selections were bad, but it caused a great deal of discontent.

44436. Supposing you got the son of an influential family, who was also educated, the object being to secure men who have influence in the country?—The graduates who were taken were not the sons of rich men.

44437. And they had no influence among their own people?—They had as much influence as other men.

44438. Do you think that the whole system was bad in itself, and that no proper selections could be made from it; or that the selections were unfortunate in certain cases?—The Government took the best available, and it did not satisfy the people.

44439. (*Mr. Sly.*) Have you any experience of education in England?—No personal experience. I have two sons in England.

44440. At what age did they go to England?—One of them was 20. He had graduated here and had got a State scholarship. He then went to England. The other one was a Deputy Superintendent of Police. He resigned his appointment at the age of 25, and has gone in for study.

44441. One boy, you say, got a State scholarship?—Yes.

44442. What career do you propose for him?—The Indian Civil; he is going up in August.

44443. And the other?—He is going up for his B. C. L. Both are at Oxford.

44444. You want the age-limit extended for the Indian Civil by one year?—If possible.

44445. Up to the age of 25?—Yes.

44446. Do you not think it will make it very late?—Not for Indians. We here start service at about 25. In the Judicial branch we start at about 30.

44447. You have left out a period of probation and training?—That does not make any difference. I do not suppose the training in the executive work will take long.

44448. It takes three years at present?—I do not know. He will have to learn the magisterial work. He knows the manners and customs and language of the country. I suppose he is much better off.

44449. With regard to this question of the vacation; was it not fixed in September instead of June, because June was the month which was most convenient for the general people to undertake their litigation?—No. In Oudh this vacation has been forced upon us though we assented to the system on the understanding that we will get June.

44450. Is the month of June the one in which cultivators are most free?—That is the time they are busy with the crops.

44451. Surely the crops are all harvested by June?—In the month of *Jaith* they are busy with marriages. According to astrological calculations it is the last month in which a boy can be married. The public also require recreation.

44452. The marriage season is also very nearly finished?—Not till *Asarh*. *Asarh* coincides with June and July. It is the last month for the marriage.

44453. But it is the month in which the cultivator is most free?—It all depends upon the season. In the inter-calendar year probably it will be earlier.

44454. At the time you wish to take your vacation, September, it is one of the busiest agricultural months?—Yes, it never affected the situation before the vacation.

44455. (*Mr. Abdur Rahim.*) When was the last attempt made to appoint a Deputy Collector a District Judge?—In 1908.

44456. What is the date of that notification?—Notification, dated 5th June 1908, published in the *United Provinces Gazette*, Part I, dated 13th June 1908.

44457. (*Sir Theodore Morison.*) What is your reason for stating in your answer to question (88) that there should be complete separation between the magisterial and the executive functions?—The popular belief is that the Deputy

Collector is entirely under the thumb of the Collector. I cannot illustrate it better than the remarks of Mr. Marris. It is the popular belief that the Deputy Collector's promotion depends upon the sweet will of the Collector, and that therefore he is likely to do what the Collector desires.

44458. You think they hold that opinion?—That is the popular belief, I think.

44459. (*Mr Kanhaiya Lal.*) Have you any experience of the state of the work in the Agra Province?—No.

44460. Can you say whether the recommendations of the Greeven Committee will give sufficient relief to the subordinate judicial officer of the Agra Province?—I cannot say. I believe they have taken into consideration the evidence of the Agra Province. I do not say that they have been more partial to us than to Agra.

44461. You say that relief has been granted to the Agra Province; but can you say, as far as that province is concerned, whether sufficient relief has been granted or not?—It is simply my inference.

44462. Have you heard of complaints from members of the Subordinate Judicial Service in the Agra Province that they are overworked?—That was put before the Greeven Committee.

44463. Has the health of the officers of the service suffered in consequence?—Yes; just as we used to say about ours, they used to say about theirs.

44464. Have there been many casualties among them recently?—I have not seen the casualty list.

44465. Have there been many cases of breakdown of health amongst them?—I know there have been cases in the province of Oudh. Only the other day one Subordinate Judge in Oudh died of paralysis. I have heard that their health has been impaired on account of overwork.

44466. And many cases of paralysis?—I cannot say. I have not the casualty list.

44467. As regards the vacation, does it not comprise many days which would otherwise be close holidays?—There are ten holidays included in the vacation.

44468. Is it not a fact that the criminal courts are closed for the last Saturday of each month and that the civil courts are kept open?—Yes, on last Saturdays.

44469. Can you say how many extra days the Judicial officers thus really get by virtue of the vacation?—At least twenty days we lose.

44470. How do you get the twenty days?—Ten days in Dasehra are absorbed in the vacation and we lose the last Saturdays on which we work. If we deduct an equal number out of the vacation the period of vacation is practically reduced to ten days.

44471. So that you get only about eight or ten days extra by the vacation?—Yes. If a man has the misfortune to work at high pressure, as at Lucknow, it means that his whole vacation is swept away working.

44472. Do you consider that in view of the difference between the nature of the work done by the Judicial officers and that done by the Executive officers a compulsory recess should be granted to the Judicial officers to maintain the service in a state of efficiency?—I am not able to say.

44473. Do you deny that a compulsory recess is needed for the Judicial officers in consideration of the mental strain which their work involves and the monotonous and sedentary nature of the duties they have to discharge?—If they got their privilege leave on full pay, they can go on leave.

44474. Do the Judicial officers get the benefit of camping or active outdoor work?—No.

44475. Is it not a disadvantage so far as their health is concerned?—I do not think so. My personal inclination is against knocking about from place to place. I can work better when being at a single place.

44476. Would not their health be better if their work were not so monotonous?—Some men in the Judicial Service find recreation in studying law-books but not in camping.

44477. Does not that affect their health?—During my 22 years' service I have been on privilege leave for only four months. I do not think my health has suffered in any way before introduction of vacation in Oudh. It all depends upon the way in which they live. If they want to become bookworms and consume the midnight oil to clear up work, of course they will suffer.

44478. Would you recommend selection at an earlier period of service, say, after ten or fifteen years of work, to train and fit up an officer for the listed appointments?—As soon as a man attains the position of Subordinate Judge he should be given training in criminal work. If he is found fit for the higher appointment, promote him when a vacancy occurs; if not, let him work up to a Small Cause Court Judgeship.

44479. By the time a man becomes a District and Sessions Judge according to your scheme, would he not be suffering from want of mental and physical vigour?—If he is not fit to work as a District and Sessions Judge he is not fit to work as a Subordinate Judge. As soon as a man becomes a Subordinate Judge you had better give him training in criminal work, and when his turn comes, put him as a District and Sessions Judge.

44480. He may not have a chance before 17 years?—I do not know whether there is a case in which a man has not got an appointment in 15 years.

44481. Are you in favour of making him a District and Sessions Judge after 10 years' service, so that he may have a listed post at an age when he would be in full possession of mental and physical vigour?—He will get the appointment of Subordinate Judge when the vacancy occurs, and then, of course, there will be a sufficient gap before his appointment as District Judge, and that gap would not be less than five years. If a man is going to be worn-out he will be worn-out, as much for the criminal work, as for the civil work.

44482. Is there not a great disinclination among the officers of the Provincial Judicial Service to take privilege leave because it is not granted to them on full pay, as it is to the other Services?—When we had not got the vacation system, and we had it optional, we used to take privilege leave

whenever we chose. I was for about 9 years in the service and I did not find the vacation a necessity.

44483. You may have been in the possession of very good health. I am asking you about the generality of officers ?—Yes, this is a disinclination because they cannot afford to take leave on half-pay.

44484. You have said that people from the Province of Agra have been coming up and swallowing the appointments which ought to have gone to the men of Oudh ?—I have.

44485. Do you recognise that there has been a very good field for practice in Oudh, and that the Subordinate Judicial Service has not been able to attract many candidates from Oudh till recently ?—If I may be permitted to say so, I know of two instances of candidates for Munsifship who had come from the Province of Agra simply as a sort of makeshift arrangement. As soon as they got a vacancy in the Province of Agra they went back. It was a pure question of favouritism and not a question of merit.

44486. How did the candidates from Agra go back ? Were they refused admission by the Judicial Commissioners ?—The two persons referred to were brought here simply with the object of filling the posts, and as soon as they got a better chance in the Province of Agra they went back.

44487. Do you mean that candidates from Oudh were refused enlistment by the Judicial Commissioners ?—Not at all.

44488. Is it true that there is a paucity of candidates from Oudh ?—I do not say that. There is no dearth whatever.

44489. Have applications for enrolment as candidates been refused by the Judicial Commissioners : either they were refused or there has been a paucity ?—I am not in the confidence of the Judicial Commissioners. I do not say that.

44490. *(Mr. Fasih-ud-din.)* Have you come across the Criminal Administration Reports written by the Sessions Judges: have you ever seen any of those reports ?—No.

44491. Have you any personal knowledge yourself of the judicial work of the Deputy Collector ?—Yes ; I can count friends amongst the service.

44492. Friends only ?—Yes.

44493. You have not had occasion to see their judgments in criminal work ?—No.

(The witness withdrew.)

NAWAB MUHAMMAD ABDUL MAJID, Barrister-at-Law.

Written answers relating to the Indian Civil Service.

44494. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service ? Do you accept it as generally satisfactory in principle ?—My humble opinion is that the present system of recruitment by open competitive examination in England for the Indian Civil Service is satisfactory.

The advantages of the present system are twofold. Firstly, it does not give one community or class in India a predominance over the other. Secondly, it secures a large proportion of Englishmen to be employed in the Indian Civil Service which, in my humble opinion, is an absolute necessity for the good government of the country.

44495. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest ?—I am of opinion that some method should be devised by which a number of Indians, in a certain proportion, should be increased in the Indian Civil Service, and that these Indians should be men of position and noble family.

In the Indian Civil Service it is an absolute necessity that in order to maintain the position of the said Service, only those Natives of India should be eligible who are men of noble family and good position.

44496. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty ? If not, what alteration do you recommend ?—The system of recruitment in England is not suitable for the admission of Natives of India. I would recommend that in a certain proportion the Natives of India belonging to respectable families and loyal gentry should be selected and sent to England to pass a probationary period there, say, of at least three years, and after their return they should be posted to districts.

I would suggest that the proportion may be one-fourth of the whole Indian Civil Service.

44497. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests ? Please give your reasons.—I do not think that the combination of the open competitive examination for the Home, Colonial, and Indian Civil Services will be of an advantage to Indian interests. The reason is that the Indians will be swamped and very few of them will have the chance of getting into the Indian Civil Service.

44498. (5) If you consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose ?—I have already replied in answer to question (2) that in order to secure a larger number of Indians in the Indian Civil Service selections of Indians in India with a sufficient training in England will be satisfactory.

44499. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty ?—I am against simultaneous examinations both in India and England.

44500. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination *in India*, or by means of separate examinations in each province or group of provinces in India ? If you favour such a scheme, what proportion do you recommend ?—

Examinations in India for filling the Indian Civil Service by Natives of India I would not recommend. Such a system will bring in people not of good position but of aptitude to pass examinations through sheer force of hard labour and cramming. Prestige and status, I consider, is an absolute necessity for the good administration of this country.

Supposing a separate examination is held in India and a man of low class and of no social standing passes the Indian Civil Service examination and gets into the service, then his personality is sure to lower the status of such an exalted service in the estimation of the public. Such a system will cease to conduce to the good government of the country, and such a member of the Indian Civil Service will fail to exercise that wholesome influence over the people of this country which is an essential thing for the stability of the good government.

44501. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of *(a)* nomination, *(b)* combined nomination and examination, or *(c)* any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I have already answered that the safest method by which Natives of India should be introduced in the Indian Civil Service is nomination and after that the passing of the probationary period, say, of three years in an English University. Such recruits must be loyal, respectable, and educated members of the families of good position.

I am entirely against the system that all classes and communities irrespective of the above-mentioned qualifications should be eligible for appointments in the Indian Civil Service.

44502. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Under the system that I have already submitted, I think that Natives of India should not be eligible for appointments in England also.

44503. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I have already submitted that nominations with sufficient training in England will be the best method of securing an adequate number of good native officers in the Indian Civil Service. Provincial Civil Service should be kept separate.

44504. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.—Members of the Indian Civil Service should be appointed to the Judicial branch, but the present system of appointing officers of a few years' standing to a District Judgeship, I think, should be done away with.

The old practice of appointing a Collector to a District Judgeship and a District Judge as a Commissioner, and a Commissioner as a Member of the Board of Revenue, and a Member of the Board of Revenue as a High Court Judge, I consider, is the safest one, inasmuch as the officers so appointed obtain good experience of civil, criminal, revenue, and all the laws, &c.

Under the system when a Joint Magistrate is appointed a District Judge, he, I believe, has not sufficient experience and this is why he generally makes a weak Judge. But if for some reason, this submission be not adopted, then the practising lawyers of good position and respectability should be appointed to the Judicial branch.

44505. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent or of mixed European and Indian descent, or of mixed European descent? If not, state fully any proposal that you wish to make in regard to this matter?—I have no objection to the definition of the term "Natives of India" as defined in section 6 of the Government of India Act, 1870 (33 Vict, c. 3).

44506. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I would suggest that the age of the Native of India should be 25 years.

44507. (14) What, in your opinion, is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—I do not think that any age-limit is essential. After they have passed their probationary period they should commence their official duties.

44508. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—I have already submitted the age-limits of Natives of India.

44509. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—So far as Muhammadans are concerned, Persian should also be one of the subjects. The study of foreign languages is useless for Indian candidates. The marks assigned for foreign languages should be transferred to English, Sanskrit, Arabic, and Persian languages. Instead of foreign histories, English and Indian Histories should be prescribed for the Indian students and their marks transferred to them.

Roman law is of no use in India. Instead of

that Hindu and Muhammadan laws should be prescribed.

44510. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.—I have no objection if the suggestions that I have made in my reply to question (16) should apply only to candidates who are Natives of India.

44511. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I consider that District Officers, Commissioners, and Members of the Board of Revenue should always be Englishmen.

Natives of India should not be appointed to these posts. I do not mean to say that Natives of India are not fit for such posts, but as there are different communities with different interests, it is an absolute necessity that the above-mentioned posts should be held by officers who can have no natural leanings towards, and sympathy with, a particular community.

44512. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I have already submitted that the proportion of posts allotted to Natives of India should be one-fourth in the Indian Civil Service cadre.

44513. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—If my submissions about recruitment by nomination with sufficient training in England be not acceptable, I would, then, recommend that the old system of appointment of "Statutory Civilians" should be revived. This system, in my humble opinion, has not proved a failure. Many Statutory Civilians have done their duties very satisfactorily. They should be recruited by nomination and after that they should pass some fixed examination in the subjects of which they will require knowledge subsequently in the discharge of their official duties.

They should be men of good family position and of good social standing.

44514. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—I am against the recruitment of military officers in India for posts in the Indian Civil Service cadre.

44515. (23) Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—I have no objection to the recruitment of selected officers from other Indian services, into the Indian Civil Service, provided they are men of tried ability and of good social standing.

44516. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—I have no objection to it.

44517. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—I have no objection to it.

44518. (28) Please add such remarks as you may desire to offer on any points relating to system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing question.—My answers to the foregoing questions cover all relating to the system of recruitment for the Indian Civil Service and I have no more remarks to offer.

44519. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—I think that candidates recruited for the Indian Civil Service should undergo a period of probation before they are admitted to the Service. They must devote their time to the studying of the Indian languages and other works on the customs, manners, and history of the country. It is an absolute necessity for the Indian Civil Servants that they should be proficient in the Indian languages and should be very well acquainted with the social life of the people of this country.

44520. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—In my humble opinion the period of probation should be three years, and the rest I have replied to in question (29).

44521. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—Those natural-born subjects of His Majesty, who are born and brought up in India, and know the Indian language and social life of this country, should not be placed in a position other than that occupied by a Native of India. But I have no objection to raise as regards those who are not so.

44522. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I am of opinion that an English probationer should spend his probationary period in India, whereas Natives of India and others similar to them should spend their probationary period in England. The reason of this suggestion is obvious. A Native of India by his residence in England will be able to possess the habits of thoughts, the sympathy with English principles of administration, the vigour and energy, which are the necessary qualifications for employment in the Indian Civil Service. In like manner, a European by his residence in India and by his studying Indian languages, customs, manners, and all relating to

social life of the country will naturally have sympathies with the needs and desires of the people and will understand them.

44523. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—A training college is not necessary for members of the Indian Civil Service in India. I would recommend that each probationer should be posted as a subordinate without any official power to districts under District Officers. They should freely mix with the people, learn their languages, understand their social life, and at the same time assist the officers in the discharge of their duties. They should tour in districts, understand the machinery of the Government, so that they may be able to acquire practical knowledge of the things necessary for the efficient discharge of their duties when they are entrusted with them.

44524. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre? —Yes, I think that each Provincial Government should arrange for the training of probationers by some suitable courses of instruction which may be considered requisite for the purpose of giving them suitable education.

44525. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I think that practical knowledge and experience is necessary for the training of junior officers. I have already suggested the course that should be adopted, in my previous answers.

44526. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes, the members of the Indian Civil Service of the present day are not so proficient in the Indian languages as they used to be. The reason is that many Natives of India now know the English language and they speak and correspond in that language. This was not the case formerly.

As I have already submitted in my previous answers, proficiency in the Indian languages can be gained only by having frequent opportunities of mixing with the Natives of India and talking with them in their own languages.

44527. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch.—So far as the members of the Indian Civil Service are concerned, I have already suggested that there should be one course for the improvement of their knowledge of law. They should get promotions by seniority and by serving in and passing through every post of the service.

But if for some reason or other this suggestion be not acceptable, then the only course left, in my humble opinion, is that practising Barristers and Vakils should be selected for the Judicial branch.

44528. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details.—As regards the Natives of India holding subordinate judicial posts, I think that no special training is necessary for them. They discharge their duties very satisfactorily. But I think that if practising lawyers are appointed direct to judicial posts they will make very good Judicial officers. This is the system adopted in England and this has proved quite successful.

44529. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed European descent, of mixed European and Indian descent and of unmixed European descent? If so, please state your proposals. —There should be no differentiation regarding the probation and training of members of the Indian Civil Service who are Natives of India. Persons born in India and brought up in India should be trained on one and the same line. There should be no line of demarcation between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent, if they are born and brought up in India.

44530. (45) Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I do not think that any exchange compensation allowance is necessary. The service is already well paid.

44531. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service? —The Statutory Civilians and officers of the Provincial Civil Service holding listed posts, I consider, are not well paid. They should receive the same salary as the members of the Indian Civil Service occupying the same posts. This is necessary for them to keep their position and status. Besides, the cost of living is very much increased and almost all Natives of India holding listed posts are living or have commenced to live in the European fashion.

Written answers relating to the Provincial Civil Service.

44532. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your provinces suitable, or have you any recommendations to make for their

alteration?—The only remark that I have to offer is that recruitments must be from the people having good social status. People of low classes and of no position and good society shall never be nominated. It is absolutely necessary that at the time of nomination the Government must have a particular care of the position of candidates. Position and respectability must be held an important factor in the recruitment of the Provincial Civil Service. Mere degree or certificate or recommendation should not be considered sufficient qualifications. Candidates must be members of loyal and respectable families holding good social status.

44533. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—The residents of a province in case of recruitments in their province should have preference over the residents of other provinces. For instance, in case of recruitments in the United Provinces the residents of the United Provinces should have preference over a Madrasi or a Bengali or a Punjabi or a man of Bombay or of the Central Provinces.

44534. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable and what arrangements do you recommend to secure this object?—I think it unnecessary that all classes should be duly represented in the Provincial Service. Communities should be adequately represented and members of such communities should be men of good position and status. It is also necessary that in such representations proportion of population should not be the chief factor. Hindus and Muhammadans should be equally represented. In the administration of a district equal number of Hindu and Muhammadan officers should be posted in every district. My humble experience is that wherever the numbers of such officers as belong to one community are greater than the other community, parties spring up in the district and its administration suffers.

44535. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The cost of living has very much increased, and Natives of India have now commenced to live in European fashion. I, therefore, think that each post in the Provincial Service should receive a salary which should be 25 per cent. more of the present salary.

44536. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I think that there should be no difference between the salary drawn by members of the Provincial Civil Service and those of the Indian Civil Service holding the same post.

44537. (64) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.—My previous answers indicate the line on which I would suggest the selection of officers in the Provincial Civil Service.

NAWAB MUHAMMAD ABDUL MAJID called and examined.

44538. (*Chairman.*) You are a Barrister-at-law and a landowner?—Yes.

44539. And you were formerly a member of the United Provinces Provincial and Imperial Legislative Councils?—Yes.

44540. You are generally satisfied with the present system of recruitment in the Indian Civil Service?—Yes.

44541. You would like to see more Indians recruited, up to one quarter of the whole of the Indian Civil Service?—Yes.

44542. You regard it as important that they should be young men of position and noble family?—Yes, the higher classes, both amongst Hindus and Muhammadans.

44543. I gather from your answers that you would be against any system of examination which would simply recruit the educated classes, apart from the aristocracy?—Yes. With reference to these qualifications, I am against an examination which might bring in any people who did not belong to the higher classes to whom I have referred.

44544. In your scheme you would, if possible, abandon the present arrangement of Indians going to England for the competitive examination?—That is not what I mean.

44545. You say, "under the system that I have already submitted, I think that Natives of India should not be eligible for appointments in England also?"—For appointments in England certainly, not appointments in India.

44546. Appointments in the Public Service?—Yes.

44547. How would you select your young men in India with regard to fulfilling the qualifications which you desire?—I would suggest by nomination by the Government.

44548. You would make sure that they attain certain educational qualifications?—Certainly.

44549. Do you think that if you confine your area of selection to the aristocracy and the landed gentry you would be able to secure a fully efficient administration on the high standard of the Indian Civil Service examination?—I think so. You can get the higher classes who are educated as well as you can if you take the common people.

44550. You would exclude the other classes altogether by your scheme?—If the people are of such a low status and low social position that they are looked down upon by the people in this country, I would exclude them.

44551. Do you think that such a scheme would meet with general satisfaction amongst educated Indians to-day?—I do not know how they will receive it. I am not in a position to reply to that question. They may like it, and they may not like it. Probably, I should say, they will not like it.

44552. I suppose you will admit that the effective and efficient running of the administration to a certain extent depends upon the general confidence and satisfaction of the community ?—True. But if we look to the community, we have to look to every community. If we look to the interests of the common people, we have to look to the interests of the higher classes as well.

44553. Does not your proposal confine itself to one community ?—I would not exclude people of the middle classes, but I would exclude the people who are of low status.

44554. You do not think that the actual ordeal of passing an examination of the standard of the Indian Civil Service might be regarded as counteracting to a certain extent any of these influences which you have described, which are incident to lower birth ?—I do not think so.

44555. You think that District Judges have not, as a rule, sufficient legal experience ? — Yes.

44556. Upon what do you base that opinion ?—The Judges appointed at present have not had sufficient experience of law. Officers of a few years' standing are appointed District Judges. They have no training as far as law is concerned, and that is why they have not proved to be good Judges. If you give them sufficient training so that they may know the law, I think they will prove very successful Judges.

44557. You would like to see them more effectively trained ?—Yes. They should have more effective training. That is why I say, in reply to this question, that in olden times, if I remember aright, the practice used to be that the Civilians used to pass in different grades of the Service, and so they had very great experience. Even if we take the High Court Judges now, some Civilians make very good High Court Judges, because they get a good training as District Judges.

44558. You would put them through the course of training of Munsifs and Subordinate Judges ?—If those posts are open. At present those posts are not open. Those posts are in the Provincial Service and they are held by Natives of India. If it is decided to open those posts, it will be some training for them.

44559. In your answer in question (18) you say that District Officers, Commissioners, and Members of the Board of Revenue should always be Englishmen ?—That is my humble opinion.

44560. To what posts do you propose to appoint Indian young men of good family ?—I would appoint them District Judges, Secretaries to the Board of Revenue, and Secretaries to Government and posts like them.

44561. To judicial and secretariat posts ?—Yes, but not to posts I have mentioned. That is why I have detailed them here.

44562. You are opposed to Indians occupying the position of Collector ?—I have given my reasons in answer to question (18). I oppose it simply on principle. There may be exceptions; but the exceptions have not got anything to do with these matters.

44563. You lay stress upon the importance of a knowledge of the language in members of the Civil Service ?—Yes.

44564. You say that there has been a certain amount of deterioration in this respect ?—True.

44565. What remedies do you suggest ?—They should have frequent intercourse with Indians; they should have frequent opportunities of meeting them and studying books. That would improve them so far as their knowledge of the language is concerned.

44566. You would like to see some practising lawyers appointed direct to judicial posts. Will you tell us how you would select them ?—I would suggest that practising barristers and vakils should be appointed.

44567. How would you select them ?—If they are respectable barristers and pleaders of long standing and they have good practice, I think they should be appointed.

44568. In answer to question (54) you deal with representation, and you say, " It is also necessary that in such representations proportion of population should not be the chief factor. Hindus and Muhammadans should be equally represented." An equal number of Hindu and Muhammadan officers should be posted to every district ?—Yes.

44569. You would recommend this, whether or not there were Muhammadans in large numbers in the district ?—Yes, whether there are Muhammadans or Hindus. There are both people there, and certainly under the circumstances the officers' posts should be equal in number.

44570. If the Muhammadans were in a small minority of the population you would still appoint half Muhammadans and half Hindus ?—Yes; for I think the proportion should not be the principal factor in these matters of appointing people to these offices.

44571. Why do you make that suggestion ?—For the reason that if they are in equal number in each district, one counteracts the influence of the other. If one is in the minority, the majority will certainly carry the day, and the minority will not be able to influence the majority. That is the principle I take.

44572. You suggest an addition of 25 per cent. to the pay of the Provincial Civil Service ?—Yes.

44573. Do you propose that right through the cadre ?—Yes; because they have to keep up their position as well as any other officer. They have to maintain their position. The cost of living has increased so much that they must get some increase in their pay in order to keep up that position.

44574. (*Lord Ronaldshay.*) Under your proposal for recruiting Indians to the higher posts, I understand a considerable number of young men would have to be nominated ?—Yes.

44575. Can you tell us whether you have thought at all by whom these nominations should be made ?—Nominations should be made by Government.

44576. By the Local Government ?—Yes; by the Local Government.

44577. I suppose, in the first place, they would ask for recommendations from District Officers, would they not ?—It is quite possible that they may ask, or they may know the people themselves.

44578. The Local Government will not have

the opportunities of knowing?—They may ask District Officers as well.

44579. Your idea is that they should ask for recommendations from District Officers, and nominate from among them?—Yes if they do not know the candidates.

44580. At what sort of age would you nominate these men?—They must be educated men, and generally they should be those people who have taken their degrees.

44581. They should be men who have taken degrees at one of the Indian Universities?—Yes.

44582. So that you would not get them before the age of 20?—That is so.

44583. After that you would send them to England?—Yes, and there they would finish their period of probation.

44584. When will you expect them to pass their examination?—When they are in England examinations must be provided, and they should pass those examinations; but these examinations must be confined to the subjects which will be required in the administration when they come back here. For instance, they should study those laws which they will require to administer here when they come back into this country. Further, something must be taught them in order that they may know the language of the country, and to know the social conditions of the country and so on; and any other subjects which may be provided for. It is a very wide field. One cannot give an answer as to what subjects should be provided for them. I have given this as a general idea.

44585. With regard to the English recruits to the Service, you think they should pass their period of probation out here?—Yes; because of these difficulties, of which we hear complaints nowadays, that the new Civilians are not of the same type as the old Civilians. It is simply for this reason, that these people have no experience of India when they come out here; and it will take them a long time to get any experience of this country.

44586. What form of probation do you suggest for these men when they come out here? Will you send them to some simple Institution?—I suggest that they should study, and, at the same time, follow a course by which they will acquire some practical experience of this country as well. I have suggested three years as the period of probation. Supposing out of those three years one or two years were devoted to the study of law and practical experience of this country, I think it would be good.

44587. When they come out here for this period of probation when they study law, where do you suggest that they should study it; at the head-quarters of the province?—That will be for the Local Government. They can fix a place for them where they are to study.

44588. (*Sir Theodore Morison.*) I think you are in favour of a revival of the Statutory Service?—If my suggestions are not adopted, I should be in favour of it.

44589. You knew some of the Statutory Civilians?—Yes.

44590. Can you tell me what educational qualifications most of them have?—Some of them were men who had gone to England. Some were men who were not well educated when they were appointed; but when they got good training, they proved themselves to be good officers.

44591. Do you think the failure of the system was due to the want of education on the part of the men appointed?—There were not at that time proper selections. The Service was just started, and selections were made without full consideration. The Government wanted to have some men and they selected people.

44592. Do you think there was a sufficiently large number of men of good family who had received good education?—Yes. They started the Service in 1879. Many men who were educated in England came back and wanted to get into this Service, but they were not given a chance.

44593. So that the Statutory Civil Service would have a chance of success now which it did not have in those days?—Yes; if there are good regulations for selecting good candidates.

44594. (*Mr. Sly.*) You are a resident of Lucknow?—I belong to the Province of Agra.

44595. Where is your estate?—Jaunpur.

44596. Are the views you have expressed founded upon experience in the city or in the country?—I know the country also. I am a zamindar, and I tour in the country also.

44597. Do you consider these views reflect, at all, the feelings of the people in the country or not?—They may reflect the opinion of some educated people; but I do not think they reflect the opinion of the people of the country. They do not take much interest in these matters.

44598. (*Mr. Macdonald.*) You are opposed to simultaneous examinations?—Yes.

44599. You are opposed to filling the Indian Civil Service posts by Indians recruited from India?—No. But I am opposed to simultaneous examination.

44600. I suppose you are acquainted with the more recent decisions of the Muslim League?—Yes.

44601. Many of them are in favour of it, are they not?—Yes; and at the same time I know many members who are not in favour of it.

44602. You say that young educated Muhammadans are coming more to that view with regard to the recruitment of Indians in India?—There may be Muhammadans who have that view, and there may be Muhammadans who have not that view.

44603. What I should like to get your opinion upon, if you will give it to me, is whether the young educated Muhammadan is coming more and more to the view that the vacancies should be filled in India?—The question is, who do you mean by the young educated Muhammadan. If that young educated Muhammadan comes from common people, his view may be quite different; but if the young educated Muhammadan comes of an aristocratic class his view, again, may be quite different.

44604. Where you get education, is it not the British view, and consistent with the British tone of the administration, that that education should stand apart whether it is an educated aristocracy or an educated democracy?—The question is whether there is an unanimous opinion among Muhammadans or not. What I submit is this,

that there may be some educated Muhammadans, and probably there may be many members of the Muslim League who may be of that view, and there may be many who are not of that view.

44605. As far as you have educated your young Muhammadan, and he has taken up the British spirit, is it not more in accordance with that spirit that education and capacity alone should tell?—Those people who may have taken that advanced view may be of that opinion; but there are people who have not got that advanced view, and they will not be of that opinion.

44606. That is the division?—Yes.

44607. From your knowledge of English methods of administration, do you agree or do you not agree that it is rather repulsive to those methods—I forget your expression—that family and social status should specially count?—My own view is that in India social status and position must count a great deal. The replies I give you are my own view.

44608. As far as England is responsible for the general tone of the administration of this country, do you agree that it would be rather inconsistent with our traditions to adopt that view of yours?—That may be the English view. The whole question is that when you are going to apply your view, you must apply it to the practical circumstances existing in the country itself. You must see, "what are the circumstances in this country?" There may be many things which may be considered very good as far as England is concerned; but when you come into this country, they may not be considered good. Take the caste system. There is no such thing as a caste system in England, but there is such a thing as a caste system in this country.

44609. But English administration has not favoured the caste system?—Yes, so far as it is possible.

44610. All those special features which are inconsistent with our ideas, like suttee, and so on?—Yes, when it has been practicable.

44611. (*Mr. Fisher.*) Has it become the custom amongst the noble classes in India, and particularly in this province, to send their sons to the Universities?—Yes; they not only send their sons to the Universities, but they send their sons to England, and many people have gone to become barristers. Many of them are sons of the higher classes and aristocrats.

44612. Have you found in this province that several sons of aristocratic families have done extremely well at the Universities?—I am not in a position to say. I can give you an answer only from the tendency, and the general tendency is that the higher classes send their sons to the Universities.

44613. Would you apprehend that the effect of the process of education upon the young men coming from aristocratic families would be rather in a democratic direction or not?—It is quite possible.

44614. So that it is quite possible in the course of time, if the University movement goes on, that the importance attached to family status in India would be somewhat diminished?—It may disappear, or it may strengthen itself.

44615. (*Mr. Madge.*) Do you advocate the enlistment of men of good family into the public service solely because they are men of good family, or because they possess a much more useful influence among the larger number of the people that might be of use to the Government in time of trouble?—On both grounds.

44616. You have stated already that you are acquainted with men who have done well in the Statutory Service?—Yes.

44617. Would you revive it?—Yes; if my recommendations are not carried out.

44618. (*Mr. Chaubal.*) What has been your University education?—I had no University education. I passed only the entrance examination. I practised as a pleader and then went to England to be called to the Bar. I was called to the Bar in England.

44619. Did you pass through the pleadership examination?—Yes.

44620. After your matriculation?—After my matriculation.

44621. You have never had any college or University training?—No.

44622. Did you attend any University at home?—No.

44623. How many years were you at home?—Three years.

44624. You say in your answer to question (54) that Hindus and Muhammadans should be equally represented in the Provincial Service. May I know why you recommend that?—First of all, I recommend it because I am a Muhammadan, and I should like more Muhammadans in the service; secondly, in the administration of the country I should like that these two communities should be equally represented.

44625. You have no objection to the employment of Europeans in the Provincial Civil Service?—No, if they are eligible.

44626. You have no objection to the employment of Englishmen in any Indian Service, whether it be the Indian Civil Service or the Provincial Civil Service?—I am speaking only of present circumstances as they exist. If Europeans are eligible they should be employed.

44627. You have no objection to, in fact you would like, their being employed on account of the efficient work they do—looking at it from the point of view of efficiency?—Yes: but certainly not to the prejudice of Indians. I would not like Europeans to displace Indians.

44628. I am speaking only from the point of view of efficiency. Whom do you consider the most efficient, the Englishman, the Hindu, or the Muhammadan?—There are places in which Englishmen may be good and efficient servants, and there are places where Muhammadans may be good and efficient servants, and there are places in which Hindus may be good and efficient servants. I have given my answer in favour of the employment of Europeans as far as the administration of districts is concerned, for the simple reason that they are independent people and they have no interest here.

44629. Would you not desire that the Hindu officer and the Muhammadan officer, and any other officer, belonging to any other community, should try to be as independent and as free from class bias and class prejudice as the Englishman is in India?—I should like it very much, if it is possible in the circumstances existing in India.

44630. Therefore, supposing you were a politician, you would try and initiate a policy which tried to secure to the State a class and a type of servant who was absolutely free from any class bias and any class prejudice?—I would try, but it is not possible in India.

44631. If once we got that type of independent and impartial man, I suppose there would be no reason why we should hanker after anything else?—That is for the future, not for the present.

44632. We should gravitate towards that goal?—Certainly, if we can in India.

44633. (*Sir Murray Hammick.*) You think the Provincial Civil Service is not sufficiently paid?—Yes.

44634. Do you think that if the pay of the Provincial Civil Service was increased, as you suggest, you would get a better class of men into it?—Yes, the service will be more attractive. I think even now, at present, they are better men. They are generally graduates. What better men could you get here than graduates?

44635. Do you suggest an increase of pay because you think the Provincial Civil Service man cannot keep up his position on the salary he gets, or is it for the purpose of improving the service?—It would serve both purposes. My real reason is that as they are not well paid, they cannot live in a respectable and decent manner on their present pay.

44636. You also think that Indians who hold listed posts and Indians who get into the Statutory Service should draw the same pay as the men recruited by the examination in England?—True.

44637. That is because I suppose you think they require that amount of salary to keep up the position they hold as members of the listed posts?—Yes.

44638. You do not think that the differences between the expenses of the Indian and the expenses of the man who comes from England are sufficiently marked as to require any different treatment in the way of salary?—That used to be the practice in the olden time. Things have changed now. A large number of the Natives of India have taken to European methods of living, and they have to spend just as much as Europeans would have to spend.

(The witness withdrew.)

(Adjourned till to-morrow at 10.30 a.m.)

Wednesday, 2nd April 1913.

FORTY-FOURTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. *(Chairman).*

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
ABDUR RAHIM, ESQ.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY ESQ., C.S.I.
HERBERT ALBERT LAURENS, FISHER, ESQ.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

WILLIAM TUDBALL, ESQ., I.C.S., Judge of the High Court of the North-Western Provinces.
RAI BAHADUR PANDIT KANHAIYA LAL, M.A., LL.B., Second Additional Judicial Commissioner, Oudh.
KHAN BAHADUR MAULVI MUHAMMAD FASIH-UD-DIN, Deputy Collector, Kashipur, Naini Tal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. *(Joint Secretary).*

RICHARD BURN, ESQ., I.C.S., Chief Secretary to Government. (Representing His Honour the Lieutenant-Governor.)

Memorandum relating to the Indian Civil Service.

METHODS OF RECRUITMENT.

**Questions* (1)—(14).

44639. The Lieutenant-Governor trusts that it will not inconvenience the Royal Commission if he groups the questions for the purpose of answering them. It will be possible for him in this way to give his views in narrative form on each main branch of the enquiry. The Honourable Mr. Burn, Chief Secretary, who gives oral evidence on behalf of the Local Government, will be able to re-arrange the replies if desired and to give such supplementary information as the Commission may require.

2. Paramount among the issues which the Royal Commission's interrogatories raise, is the question of the propriety of giving Indians a larger share in the Indian Civil Service appointments. Sir James Meston considers that the justice of allowing Indians a wider opportunity of

* These numbers refer to the questions given on pp. v—xiv of this volume.

proving their fitness for administrative work is irresistible. Our whole educational system, and all our professions of the theory on which we hold India, point in that direction. Since the unsatisfactory statutory system came to an end (*i.e.* in 1890), only 13* Indians have succeeded in entering by competition the Indian Civil Service in these provinces. The Lieutenant-Governor does not regard this as an adequate proportion; and he does not anticipate that the present system of recruitment will provide an adequate proportion of Indian entrants in the near future. But before seeking for a remedy, it is essential to lay down the limitations of the problem. Are we going to provide for a definite ratio, or for an unlimited ratio, of Indian recruits in the future? And what is our criterion of the ratio to be?

3. In answering these preliminary questions the Lieutenant-Governor would avoid all theoretical discussion of the comparative efficiency of Indians and Englishmen. Each race supplies plenty of good men in their degree: but it is unnatural to expect uniformity, as between the two races, in their ideals, objects or methods; and it may be that, as the indigenous agency becomes more prominent in the administration of India, there will be some re-adjustment of the standards which at present obtain. Those speculations however are beside the question. The only real and practical issue is whether it is intended, for the present, to retain a predominance of English agency in the higher governing posts in India, and to maintain the existing standards of administration. The Lieutenant-Governor has based his recommendations on the assumption that this is intended; he knows of nothing either in the pronouncements of His Majesty's Government or in the interests of India, which would justify a contrary assumption. Consequently, he has applied this assumption to the existing facts in this province; endeavouring to avoid on the one hand all *a priori* conclusions and on the other any generalizations affecting other parts of India.

4. Having regard to the administrative needs of the province, to the wishes (so far as they can be ascertained) of the mass of the people, and to our experience of Indians already serving in the province, Sir James Meston would be prepared to put competent Indians (when such have been trained) into 8 Collectorships (out of 48) and 16 judgeships (out of 31) in the United Provinces. This would involve a number, for determining which there is an accepted arithmetical criterion, of Indian officers in junior posts for training (*vide* paragraph 9 below). It is unnecessary to reserve posts of higher status, as they are selection appointments and would be filled by the best available Collector or Judge, as the case might be, whether English or Indian.

5. This statement, which has been intentionally condensed, of the position of the Local Government leads at once to an examination of the methods of recruitment for the Indian Civil Service generally. It is not considered that the present system is satisfactory so far as recruitment in England is concerned. The main objection to it is that men come to their work too late in life and that their training in England for Indian service is too short and fragmentary. No fault can reasonably be found with the men themselves, who are, on the whole, of a satisfactory class, and as a body do their best to remedy the drawbacks referred to. But Sir James Meston is convinced that both the age of entrance and the preliminary training are wrong. At present many men come out, after a prolonged stay at a University, with a great deal to unlearn. In England, among the fierce competition for success, and as a result of constant rubbing against their equals and betters, their excrescences would soon get knocked off. In India the position is different and the process less effective; and the consequence is that some of the men never really settle themselves in their earlier years to learn their work with either good temper or thoroughness and enthusiasm. Others have taken service in India as a *pis aller*, and resent having missed a career in England. There is also a tendency either to come out married or to marry at an early stage of service, which emphatically impairs their capacity for getting into intimate touch with the people among whom they are to work. The Lieutenant-Governor is, on all grounds, strongly in favour of reverting to admission between the ages of 17 and 19. The fact that he himself arrived in India, after two years' probation in England, at the age of 20 has made him anxious not to be prejudiced in favour of the earlier age; and he has therefore consulted a number of officers who were considerably older when they began service. They are almost unanimously in accord with his view that men arriving in India between 20 and 22 are more suited for the work, more ready to learn, and more likely to become attached to India and its people. There can, it is believed, be no compromise between the earlier age now advocated and the existing age limits. It is in consonance with the educational system of England that a candidate for the Indian Civil Service should be selected either on leaving his public school or on graduating; but it would be a legitimate cause for complaint if the Indian Civil Service examination had to be taken in the middle of a man's University course.

6. So far as recruitment for the Indian Civil Service in India is concerned, it is also unsatisfactory. It consists of promoting men to listed posts from the Provincial Service. In the first place this brings them into positions of importance at too late an age, when they have lost elasticity and are unlikely to acquire self-confidence. Of the two Deputy Collectors who have been appointed District Officers in these provinces, S. Muhammad Hadi became Deputy Commissioner at the age of 46½ and Chaudhri Maharaj Singh at the age of 51½. The Provincial Service officers who have become District and Sessions Judges reached that stage at the ages of 50½ (Kunwar Parmanand), 51 (Rai Pitambar Joshi), 51 (Pandit Durga Dat Joshi) and 53 (Maulvi Muhammad Shafi, sub. *pro tem.* only). His Honour is also in sympathy with the claim of the educated middle classes that they should be eligible to rise to the higher branches of the Executive Service. The number of men of this class who can ever hope to work through the Provincial Service into listed posts is exceedingly limited. At present the annual rate of recruitment for the post of Deputy Collector is 19 or 20. Half the appointments are made from the

* 12 of these are now in the service.

Subordinate Executive Service. Of the nine or ten men recruited direct every year two posts are filled by appointing distinguished graduates, on the recommendation of the Vice-Chancellor of the University. For the other appointments nominations are made, but in the selection much weight is given to connection with the landed interests or to the services rendered by the near relations of the nominee. Sir James Meston thinks it should be possible to secure a larger number of suitable men whose qualifications depend on their own educational, moral and physical attainments. While however any change in this direction will have an important effect on the Provincial Services, it will mean only a fractional addition to the chances of entrance by Indian graduates into the Indian Civil Service through the Provincial portal; and some more radical action is necessary if their claims are to receive effective consideration.

7. So far the criticism of the existing methods of recruitment has been destructive. To replace them, the constructive scheme, which the Lieutenant-Governor recommends is—

(i) to maintain the competition in England, open both to Indians and to Englishmen, but to reduce the age to 17—19: and

(ii) to supplement it, so far as may be necessary, by a system of selection in India.

The Lieutenant-Governor is of opinion that for recruitment in England an open competitive examination is the best available method of selection. It is possible that a system of selection by a Board, after the fashion of the Navy, might exclude some undesirable candidates; but on the other hand it would certainly have excluded men in the past who have risen to the highest posts open to the service.

The Lieutenant-Governor recognizes the apparent anomaly of careful selection in India and unlimited competition in England. But he considers the former to be essential, and he regards any restraint on the latter to be impracticable in the present state of political opinion in England.

There will be the less need for preliminary weeding if the entrance examination takes place at the age period 17—19, and is followed by a probation of two or three years at a University, where defects of early training and surroundings may be modified. Subject to the production of satisfactory certificates of character, the examination should be open to all natural-born subjects of His Majesty. If the present age-limits are maintained there appears no valid objection to the combination of the examination with that for the Home and Colonial Civil Services, unless it be the resentment felt in India that the public service of this country has ceased to attract the majority of the more successful candidates in the joint competition.

8. The Lieutenant-Governor is strongly opposed to a system of simultaneous examinations in India and in England. Of the important objections which have been raised to such a system he attaches most weight to the following. While admitting that the time has come for a material improvement in the facilities afforded to Indians for entering the service, he regards it as essential that the extension should be entirely under control. It is certain that the number of Indians successful in the local examination would increase, and it is quite impossible to gauge the rate of increase. Any method of setting aside so many posts for Indians and so many for Europeans and filling each quota by competition at simultaneous examinations is illogical and contrary to the whole principle on which selection by a competitive examination rests. Moreover, Sir James Meston is thoroughly convinced that a competitive examination is not the best test of the suitability of an Indian for work in the public service in these provinces. The other objections to a simultaneous examination have been often stated and need not be repeated, but among the many admitted practical difficulties in conducting such an examination, one has recently been brought to notice which deserves attention. Owing to the difference in longitude not more than one paper could be set each day. This would result in prolonging the examination to a period of four or five weeks, causing an almost impossible strain on the examinees.

9. The scheme for supplementary recruitment in India, which His Honour recommends, is as follows. Natives of India would have three avenues for entrance into what is known at present as the Indian Civil Service—

(a) an open competitive examination in England,

(b) promotion from the Provincial Service and

(c) appointment in India by selection after a qualifying examination.

The Lieutenant-Governor has already explained that he sees no difficulty about eventually filling one-sixth of the districts (8 posts) and half of the Judgeships (15½ or say 16) by Natives of India when trained and competent men have become available. Eight Judgeships have already been listed as open to the Provincial Judicial Service, and these may continue to be reserved to it. There would remain eight posts as District Officers and eight as Judges, or a total of 16. At the ordinary rates now in force these postulate a total service of $16 \times 194{\cdot}5 \div 100$ or 31·12, and an annual recruitment of $31{\cdot}12 \times 4{\cdot}17 \div 100$ or 1·2977. This is equivalent to a recruitment of 9 men in seven years, or one man each year and two in the fourth, seventh, eleventh, fourteenth, &c., years. In arranging for recruitment a running account would be kept: and each vacancy not filled by competition in England would be given alternately to an officer promoted from the Provincial Service and to one appointed direct in India. Recruits in India, whether appointed direct or by promotion, would be considered on probation before being confirmed.

This arrangement, it will be observed, proceeds on the assumption that the province will not obtain more than 9 recruits on an average in every seven years by open competition in England. Only 13 Indians have entered by this way in the last 19 years; and with the lower age-limits it is probable that the number will decrease. Should this expectation be incorrect, however, and should the open competition secure more than 9 Indians in every 7 years, the Lieutenant-Governor wishes to record that he would retain the present listing of two Collectorships for the Provincial Service.

10. The men promoted from the Provincial Service under the above scheme would be taken by selection from the fourth grade on Rs. 500 or the fifth grade on Rs. 400, the latter being the lowest grade to which a post has been transferred from the Indian Civil Service cadre. According to the Civil List for January 1st, 1913, the most senior men in the fifth grade (excluding men whose promotion is stopped) had about 14½ years' service, while the most junior had 10½. In the fourth grade the service varied from 15 to 19 years. Men so appointed would at once receive Rs 500 *per mensem* and would rank as passed Assistant Magistrates, but would take their place at the bottom of the list as it stood at the date of their appointment. One departure from the ordinary Indian Civil Service rules will be required in the case of these officers recruited by promotion. As they will be older than the officers entering by direct appointment it will not be possible to allow them to serve for 35 years in the Indian Civil Service proper. The ordinary rule for retirement at the age of 55 with the possibility of extensions might be applied. And their pension might be regulated by the rules granting invalid pensions to Indian Civil Service officers, so far as service in the Indian Civil Service is concerned, in addition to any pension due on account of service in the grades from which they were promoted.

11. Men for the selection vacancies would be chosen from a list of qualified candidates to be maintained by the Local Government. The qualifying examination would have to be passed between the ages of 18 and 20; and it would be open to all statutory Natives of India possessing satisfactory certificates of health and character. The standard of the qualifying examination would be that of the intermediate or First Arts examination of the Allahabad University, with a more searching compulsory test in vernacular. As no candidate is allowed to appear for the entrance examination before reaching the age of 16, and the intermediate course takes two years, it is necessary that the age should be at least 18. It would not be desirable to limit the age to 17—19 as in the case of the Indian Civil Service for two reasons. Such an age-limit would not correspond to any definite stage in the educational courses in this province, and it is certain that the standard of English acquirements at the entrance examination would not be sufficiently high. Selection from the qualified candidates would be made by a committee consisting of a Civilian Judge of the High Court, a Member of the Board of Revenue, and one distinguished non-official Indian, presided over by the Lieutenant-Governor. The selection would be based on the result of the examination, and personal considerations, such as the family history of the candidate, his college reputation, and his physical condition. Candidates so selected would be required to proceed to England for the same period of training as candidates selected by examination in England. They would receive a free passage each way and a higher allowance than that given to candidates selected in England to cover the cost of the vacation. They would take their place at the end of the list of those selected in the same year by open competition.

12. The scheme, which has now been described, contemplates that officers appointed in any of the three ways open to Indians will be considered as on the same footing as, and will be eligible for appointment to any post in, the Indian Civil Service cadre. It has the advantage of opening the higher branches of the service to a considerably larger number of Indians than are admitted at present. The comparative effect is not quite easy to state, as 15 minor posts which formerly belonged to the Indian Civil Service, such as Judge, Small Cause Court, Joint Magistrate, and Junior Secretary, Board of Revenue, have been absorbed in the Provincial Service and cannot be traced. If we eliminate these 15 posts however from both sides of the account, and if we leave out of calculation three new Judgeships which, under what is known as the 'Greeven' scheme, will shortly go to the Provincial Civil Service, we find that these 12 Indians in the Indian Civil Service proper, selected after competition in England, and two District Officers and five District and Sessions Judges selected from the Provincial Service, making 19 in all, are the only Indians in higher posts. These would be increased to 31 in the Indian Civil Service, besides 8 Judgeships to remain open for the Provincial Service as at present, or 39 in all, being 20 more posts than at present. The second advantage claimed for the scheme is that it involves no injury in the prospects of existing or future members of the Indian Civil Service. The third advantage is, that while it leaves members of the Provincial Judicial Service where they are at present, it does not mean any loss to existing members of the Executive Service. The present system of listing two posts of District Officer from that branch may continue till the first men promoted in the new method reach the stage of appointment as District Officers. By that time most of the men at present senior to the 4th and 5th grades will have retired, and it could in fact be arranged to continue appointing them till all such men had retired, as the number of posts might be temporarily increased. Finally the scheme will not stop recruitment of Indians by open competition in England and it can be introduced at once.

13. The Lieutenant-Governor is not in favour of any separate method of recruitment for the Judicial branch of the Indian Civil Service. He recognises that the present system is not altogether satisfactory, but he believes that remedies can be applied which will be effective. In the first place he would lay stress on the importance of a period of at least two years' probation at home, during which a sound foundation in the knowledge of jurisprudence and the actual practice in English courts could be laid more satisfactorily than is possible under the existing scheme of only one year's probation. In these provinces modifications have recently been introduced in the method of training of Civilians in India, so as to ensure their acquiring some acquaintance with the principles of civil law. It must be admitted that in the past the Judicial Service has at times been unfairly treated by placing in it officers who were not considered fit for the Executive branch. The Government of India have recently laid down, and the Lieutenant-Governor is prepared to enforce strictly, the principle that men who are

not fit for promotion to superior posts should be kept in the inferior grade of Joint Magistrates. But apart from these matters it appears to His Honour that the criticisms passed on the Judicial branch are based on misunderstandings. It has aptly been stated that the difference between conditions in England and in India lies in the fact that in India the main difficulty before a judicial officer lies in the ascertainment of facts, while in England the more difficult problem is to ascertain the law. In eliciting facts the Civilian Judge has had a long training, and the special knowledge of the people which he acquires, or ought to acquire, as assistant to a District Officer, has a value altogether its own. The Lieutenant-Governor has had remarkable illustrations of the influence of this training on the criminal work of District Judges. Nor can it be argued that the Civilian Judge is wholly unequipped for the civil, as opposed to the criminal side of his work. Conditions differ in different provinces. In the United Provinces, a large part of the time of every Joint Magistrate is taken up with the trial of cases of a civil nature, though concerned with matters relating to rent and revenue and not to civil suits in the ordinary sense of the word. The Joint Magistrate receives a training in the ascertainment of facts and in the application of the rules of evidence which is of valuable assistance in undertaking the trial of civil cases. So far as the procedure of a civil court is concerned, his experience in the trial of rent cases, if based on general principles which he should have learnt in England or during his course of probation, is not an inadequate introduction. Where he fails is in the knowledge of the substantive civil law. The foundation of this knowledge should however be laid during his period of probation, both in India and in England. When the main principles have been grasped his success depends on continued study and application.

AGE-LIMITS.

Questions 15—19.

44640. As already stated, the Lieutenant-Governor considers that the age-limits for candidates in England should be fixed at 17 to 19 years, so as to attract candidates of the average school-leaving age. These limits will undoubtedly not suit candidates who are Natives of India, so well as the later age-periods. One main reason is the wholly natural reluctance of Indian parents to send their children to England at an early age. Another is that the knowledge of English, in which the examination is conducted, is naturally better at the later age-periods than at the earlier. But the facts must be faced; and the disadvantage to Indians will be more than counterbalanced in the scheme already outlined.

SUBJECTS OF EXAMINATION.

Questions 20—22.

44641. The Lieutenant-Governor would accept as generally suitable the principle laid down by Lord Macaulay's Committee in 1854, and would accept as generally suitable the scheme in force between 1878 and 1891. Amendments in that scheme can more satisfactorily be suggested by educational authorities in England than by administrative officials in India. The only suggestion for alteration is that Natives of India might be allowed to offer composition in their own vernacular instead of English composition, the maximum marks awarded being the same as those for English composition. The rest of the examination would ensure candidates having a sufficient knowledge of English for practical purposes, and their period of probation would still further improve it.

STATUTORY REGULATIONS.

Questions 23—28.

44642. The Lieutenant-Governor would maintain the reservation of certain posts by statute for officers recruited to the Indian Civil Service, and has no alteration to suggest in the schedule attached to the Indian Civil Service Act, 1861. He has already accepted as a fundamental principle that the European character of the administration must be preserved, and he thinks that the most elastic method of providing for the admission of natives of India is that described above. He is not in favour of reviving the old system of appointment of statutory civilians under the Statute of 1870; it did not work at all well in this province. A list of the Natives of India recruited to the Indian Civil Service by means of open competition in England is attached:—

Number.	Name.	Year of admission.	Appointments, substantive.	Pay.	Acting allowance.
				Rs. a. p.	Rs.
1	Mr. B. J. Dalal ...	1894	Judge, 4th grade, Azamgarh.	1,833 5 4	
2	,, A. Yusuf Ali	1895	Magistrate and Collector, 2nd grade, Fatehpur.	1,833 5 4	
3	,, A. A. Hasan Ali	1895	Joint Magistrate, 1st grade.	1,000 0 0	On leave.
4	,, A. C. Chaterji	1897	Registrar, Co-operative Credit Societies. Deputy Commissioner, 2nd grade.	1,000 0 0	444-7-1 150. local allowance.
5	,, G. C. Badhwar	1899	Asst Judge, 2nd grade, Sitapur.	800 0 0	220
6	,, E. M. Nanavati.	1901	Joint Magistrate, 2nd grade.	700 0 0	200
*7	Kunwar Jagdish Prasad.	1903	Joint Magistrate, 2nd grade, s.p.t.	700 0 0	On leave.
8	Mr. I. B. Mandal	1905	Asst Magistrate, Bareilly.	500 0 0	200
9	,, V. N. Mehta	1906	Asst. Magistrate, Jaunpur.	500 0 0	200
*10	,, Panna Lal ...	1907	Asst. Magistrate, Moradabad.	500 0 0	200
11	,, J. N. L. Sathe	1909	Asst. Magistrate, Bijnor.	500 0 0	
12	,, W. Ameer Ali	1911	Asst. Magistrate, Moradabad.	400 0 0	

* Natives of this province.

MIXED COMMISSIONS.

Questions 29—32.

44643. Military officers and other officers were specially recruited in India in the Oudh Commission and in the Jhansi and Kumaun divisions. The system was stopped under the orders contained in the Secretary of State's despatch no. 81, dated the 13th July 1876, and all the officers so recruited have now retired. In view of the settled conditions of these tracts at the present day, the Lieutenant-Governor does not advise a re-introduction of the system of recruiting military officers or other persons whether in an Indian service or in any other, except possibly in the case of a

temporary emergency. In 1898, Sir A. P. (now Lord) MacDonnell reported to the Government of India that the Indian Civil Service was so depleted that remedial measures were necessary. A plan was sketched in outline for bringing in temporarily, say for 5 years, a few (5 or 6) officers from the Army or from other departments, and utilising them as Assistant Commissioners in Oudh. His successor, Sir James LaTouche, informed the Government of India that if they would give a general approval to the scheme, he would submit details. His idea was to take officers from the Police, Opium Department, and the irrigation branch of the Public Works Department. Military officers were not mentioned. The Government of India, however, did not approve of the idea on the ground that by the time such outsiders could be trained to be of much use there would be a sufficient number of experienced members of the Indian Civil Service. At present military officers, who are undergoing a period of probation for the Political Department, are trained in the United Provinces. Such officers have turned out very well and have, as a matter of fact, been of considerable practical use in the districts to which they were attached. There is no immediate prospect of a necessity arising such as occurred in 1898. If, however, such an emergency occurred in this or in other provinces, the Lieutenant-Governor considers that military officers, carefully selected and trained on the lines followed for probationers in the Political Department, would be of great use. The province has had reason to be grateful for the assistance of military officers in its great famines.

LISTED POSTS, ETC.

Questions 33—42.

44644. A corrected table showing the listed posts as they stand at present is attached. The chief correction to be made in the list contained in Appendix V to the questions is the addition of three posts as District and Sessions Judge recently created under the orders of the Secretary of State, and listed as open to members of the Provincial Service. The posts thus listed are ordinarily and regularly filled by Natives of India. Two of the three new posts of District and Sessions Judge cannot be filled immediately because the creation of the posts will involve expensive building operations, and the new Judgeships cannot be brought into existence till the buildings are ready.

Members of the Provincial Service have regularly filled all the listed posts except those occupied by statutory civilians. When the posts were originally listed on the recommendation of the Public Service Commission of 1886-87, it was intended to merge the statutory civilians in the new Provincial Service. The statutory civilians protested against being compelled to join the Provincial Service and were therefore allowed to remain as they were, but the listed posts occupied by them have been treated as if they were occupied by the Provincial Service. During the last five years the maximum number of posts held by statutory civilians has been eight:—

(i) Muhammad Ishaq Khan, Judge, 2nd grade, retired.
(ii) Pandit Ram Autar Pande, Judge, 2nd grade, retired.
(iii) Maulvi Saiyid Habib-ul-lah, Joint Magistrate, 1st grade, retired.
(iv) Pandit Rama Shankar Misra, Magistrate and Collector, 2nd grade, retired.
(v) Pandit Jwala Prasad, Magistrate and Collector, 2nd grade, dead.
(vi) Saiyid Muhammad Ali, Judge, 2nd grade, still in service.
(vii) Maulvi Hashmat Ullah, Joint Magistrate, 1st grade, still in service.
(viii) Pandit Sri Lal, Judge, 3rd grade, still in service.

The post of Assistant Director of Agriculture is now held by an officer of the Agricultural service, Mr. L. C. Sharma, but as explained in the note to the corrected statement of listed posts, the Provincial Service has been compensated for their transfer of this post. Mr. Sharma is an Indian.

The power to fill one-quarter of the listed posts with natives of India other than members of the Provincial Civil Service or statutory civilians has never been exercised. The Lieutenant-Governor considers it would not be possible to make appointments in this manner to the executive posts, and he is strongly opposed to apply this in the case of the judicial posts. The effect of appointing outsiders would undoubtedly be disastrous to the Judicial branch of the Provincial Service. It would discourage able and ambitious young pleaders and barristers from joining that service at the foot of the judicial ladder. He has also no doubt that the leading men at the Bar would not find the pay sufficiently attractive, and unless the appointments were offered to very junior members, the standard of recruits by direct appointment would be much inferior to that of the Provincial Service. He has noticed that a number of witnesses have proposed to make pleaders or barristers, with five years' practice, eligible for such appointments. He is strongly against the appointment of young, untried, and inexperienced men, which would deprive the Provincial Service of its prize appointments.

A complaint which has been made by men of the Provincial Service relates to the subordinate posts transferred to that service from the Indian Civil Service. The actual method adopted was to abolish a post of Joint Magistrate and to create a new post of Deputy Collector. As the new post was merged in the ordinary cadre, it is no longer possible to trace it and the complaint is, not unjustly, made that the transfer adds little to the prospects and nothing to the prestige of the Provincial Service. The Lieutenant-Governor is in sympathy with this grievance and proposes to discontinue the system, which appears to present no advantage at all. No information has reached this Government that the general public has taken any interest in the matter.

The scheme explained in the answers to questions (1)—(14) practically involves the cessation of the system of listing posts except in the case of eight posts to be reserved for the Judicial Service. The inferior listed posts, except those of Joint Magistrates, have become merged in the Provincial Services and may remain there. If officers

appointed in India by selection or by promotion are treated in all respects on the same footing as officers selected by open competition in England, there is no necessity for listing further posts belonging to the Indian Civil Service as open to them. They will be eligible for promotion to such posts in the ordinary course.

No appointments have been made within the last five years under the provision of the Indian Civil Service Act of 1861. Under section 6, Act XIII of 1879, the Judicial Commissioner in Oudh is appointed by the Local Government, with the previous sanction of the Governor General in Council. Up to 1891 the office of Judicial Commissioner was, under the orders of His Majesty's Secretary of State, reserved to members of the Indian Civil Service and the appointment of any person not belonging to that service can be made only with the special sanction of the Secretary of State. In 1891 the post of Additional Judicial Commissioner of Oudh was created and the Secretary of State authorized the appointment to one Judicial Commissionership of a barrister of not less than ten years' standing, who is also an advocate of the High Court and has a full knowledge of the vernacular, when he is the best candidate available for the appointment. Members of the Provincial Civil Service are also eligible with the sanction of the Secretary of State. One post of Additional Judicial Commissioner (a second post having been created in 1897) is at present held by Rai Bahadur Pandit Kanhaiya Lal, who was a member of the Provincial Service.

The figures should be—

Magistrates and Collectors ...	2
District and Sessions Judges ...	5+3 newly sanctioned.
Secretary to the Board of Revenue.	1
Joint Magistrates and Assistant Commissioners.	9
(Two listed posts of Joint Magistrates, 1st grade, are to be transferred to the Provincial Service as soon as two statutory civilians retire. One of these officers, Mr. Habibullah, retired on 1st March 1913, and the post held by him will be transferred with effect from that date.)	
Judges of Small Cause Courts...	2
*(a) Assistant Settlement officers	2
*(b) Assistant to Director of Land Records and Agriculture.	1
	25

Note.—*(a) The two appointments of assistant settlement officers in 1903 were included in the deputy collectors' cadre, and the pay of a deputy collector employed as assistant settlement officer is now simply his grade pay. The Government is not obliged to employ two deputy collectors as assistant settlement officers.

*(b) The post of Assistant to Director of Land Records and Agriculture is now held by an officer of the Agricultural department, but an extra post has been added to the cadre of the executive Provincial Service in compensation.

PROBATION.

Questions 43—59.

44645. In a previous part of this memorandum, the Lieutenant-Governor has expressed the opinion that the present training of the English recruit for the Indian Civil Service in England is inadequate. The selected candidate is taken at a time when he is jaded with study, after his final University examinations, and the trying ordeal of the Civil Service examination; and he is then hurried through a year of perfunctory work in Indian subjects. The result is that he arrives with a wholly insufficient knowledge of the vernacular language or the law or the customs and history of the country which he is to serve and where he is to spend the best part of his life. There is no trade for which so meagre an apprenticeship would be accepted; and the urgent necessity for a more thorough training in India adds, if possible, to the cogency of the arguments for admission at an earlier age. If a probationer is not admitted, as at present, until he is between 22 and 24 years of age, he cannot be too quickly sent out to India, and no adequate provision for his preliminary training in England is possible. Sir James Meston assumes, therefore, in the following remarks, that the age-limits for the open competition in future will be 17—19.

Although there are certain strong arguments in its favour, the revival of the Haileybury system, by which probationers would be trained at a special Indian institution in England, does not appeal to the Lieutenant-Governor. He considers that the expense would be indefensible, and he would far rather see the probationers trained at a good University, where they would rub shoulders with others of their age and gain some knowledge of the world. Friendships formed at that age are often of much value in after-life; and the young civilian would be encouraged to improve his general education at the same time as he specializes in Indian subjects.

The Lieutenant-Governor is still more strongly opposed to the suggestion to start a college in India for the training of probationers for the Indian Civil Service and for Indian services recruited in England. There appears to be no necessity for the training of probationers at a centre in each province. The case of the police can be readily distinguished. For these officers instruction is largely practical and it is unnecessary to provide for the more general training in first principles advocated for Indian Civil Service probationers. The Lieutenant-Governor accepts the opinion expressed by the Treasury Committee that the preliminary training in oriental languages can be given better in England than in India. The study of vernaculars in these provinces is not supervised by the Allahabad University, and no facilities exist at present for the study of vernaculars after the stage of the School-Leaving Certificate or the Matriculation examinations, though a proposal is under consideration to provide for a further course in connection with the M. A. examination. The teaching of grammar in vernacular is exceedingly complicated and would involve an altogether unnecessary burden on the probationers. Good teachers are certainly rare. If a sound knowledge

of grammar is acquired in England, facility of expression in the vernacular can be acquired without difficulty in this country.

The system of training which seems unquestionably best is that the probationers should spend two, or if possible three, years at a University in England selected or approved for the purpose by the Secretary of State. An allowance of £150 a year is recommended for each probationer except those selected in India, who should receive £200. The allowances should be conditional on approved behaviour and success in periodical examinations. Two years of training would suffice: but if the course could be extended to three years, it is possible that some of the universities might be prepared to consider the establishment of a regular oriental school, with a course of studies which would meet the Indian Civil Service requirements and at the same time qualify for a regular degree. In any case, even with a two-year course, candidates who desire to do so should be allowed to stay for a third year in England on condition that they read for a degree in oriental languages or law, and should receive an allowance for that year if successful. The course of studies for a two-year period might suitably be as it was in 1891; but some changes seem necessary in actual details of the examination. Thus, under the history of India should be included some knowledge of the outlines of ethnology, caste, religious tenets, and social practices; while under political economy special attention should be directed to economic conditions and problems in India. Compulsory attendance at the law courts in England should be essential, as the training so obtained is of the highest importance. The procedure in English courts differs in many ways from that in India, but the general principles underlying the procedure, and in particular the law of evidence, are practically identical in both countries. One complaint which has been made against the civilians who have come to India under the new regulations regarding age is their imperfect appreciation of the principles of the admissibility of evidence. Attendance at law courts in England is of great value in forming sound ideas on this subject. It appears eminently desirable that the teaching in England should include both the general principles of jurisprudence and some teaching of Indian law. In the case of Indian vernaculars the course should include both the teaching of grammar and text books, and some colloquial instruction. Englishmen are naturally bad linguists and rarely acquire a language correctly for colloquial use until they have spent some time in a country in which it is spoken. But the mastery of grammar and the ability to read and write are essential as a foundation for the subsequent acquisition of freedom in speaking a language correctly. The teaching of geography should be modified in accordance with the changes introduced in the study of the same subject in England during the last 20 years. Apart from the mere physical aspect of the country which was the sole topic studied up to 1891, candidates should learn something of the economics of geography. Political economy has been referred to above. The Lieutenant-Governor does not think it necessary to provide instruction in accounts. The system of accounts in Government treasuries is simple and can be learned very easily during the early stages of an Indian career. Apart from these the study of accounts is required in civil cases, in income-tax work, and in rent and revenue suits. Here again instruction can best be obtained by actual practice in India.

For natives of India recruited by selection in India exactly the same course of probation in England is recommended. It is, however, suggested that for the final examination of such candidates a paper in English composition should be prescribed, the marks for which would not be added in the total. A minimum would, however, be laid down for passing this examination and failure would render a candidate liable to exclusion. Candidates recruited by promotion in India would have already passed the departmental examination for deputy collectors, and no further probation, so far as training is concerned would be required for them, though their appointments would be for a fixed period of, say, two years, at any time during which they would be liable to revert to their substantive posts if not found to be satisfactory.

TRAINING.

Questions 60—71

44646. The present arrangement for training junior members of the Indian Civil Service after they arrive in India is as follows:—

In the selection of the district to which a new arrival is posted, regard is had chiefly to the personality of the district officer under whom he is to be trained. Care is also taken to select a station of medium size. The details of the training given depend on the Collector, and any senior joint magistrate in the district, with whom the junior officer may be placed. During his cold weather tours the young civilian is required to submit diaries which are passed on by the Collector to the Commissioner and are carefully scrutinised and criticized by that officer. Wide discretion is left to district officers concerned as to the actual training to be followed, but the main principles were embodied in a circular issued in 1910, a copy of which will be submitted to the Commission confidentially if they desire. In the Lieutenant-Governor's opinion this method is preferable to any other which has been suggested, such as the collection of officers at a central place. Special training is provided for in two cases. The Government of India are prepared to take a junior officer in their Legislative Department for a period of about six months in order to receive training in the drafting of bills. Two such officers have been deputed from this province. It is also the practice, about six months before the post of Financial Under Secretary falls vacant, to send an officer to the Government of India to receive training in the Finance Department. The Lieutenant-Governor would gladly extend this system of special training to other fields. In particular, he has it under consideration to attach young civilians for a short time to the head quarters of Government in order to give them some insight into the wider aspects of the work which falls on the Civil Service.

The existing system of departmental examinations

in this province is described in a summary attached to this note. The system was carefully overhauled recently and the Lieutenant-Governor has no changes to propose, at present. At the end of his first year every civilian is required to attend a class held at Cawnpore by the Director of Land Records and Agriculture or Deputy Director. The course of instruction includes a thorough training in the system of land records and the principles underlying the land revenue administration and settlement procedure. Mr. Moreland's book on the Land Revenue Administration of the United Provinces is an expanded account of the course followed.

Training of junior officers in the U. P.

Indian Civil Service officers on appointment are in these provinces required to pass a departmental examination. It can be passed by two standards: the lower (secured by obtaining 50 per cent.), and the higher (secured by obtaining 66 per cent. of full marks). The papers for both standards are the same. Two subjects, "Excise and Stamps" and "Police" need only be passed by the lower standard; all others must be passed by the higher standard, and are—

(i) Judicial: consisting of the Indian Penal Code, Code of Criminal Procedure (both with books), Indian Evidence Act, General Clauses Act, Whipping Act, and Public Gambling Act. A criminal case, such as may come before a 1st class magistrate and involve a sentence of imprisonment for two years or more, also forms part of the examination. The vernacular record is read out by an Indian official; the candidate records his notes of evidence, frames his charge, and writes a judgment. Failure in the case usually involves failure in the whole subject. Fifty per cent. of marks must be obtained to pass.

(ii) Revenue: consisting of the United Provinces Land Revenue Act, Agra Tenancy Act, Oudh Rent Act, and certain Board of Revenue circulars (the last-named with book); and a revenue case, which is conducted, *mutatis mutandis*, on the same lines as the criminal case.

(iii) Treasury and accounts: consisting of certain parts of the Civil Account Code (with book). A certificate of having held charge of a treasury for six weeks continuously within one year of the examination is also necessary.

(iv) Urdu and Hindi: consisting of translation from and into Urdu, reading Urdu and Hindi, and conversation in Urdu. These sub-heads are separately marked and failure in one sub-head usually involves failure in the whole subject.

(v) Civil Law (with effect from the October examination of 1912): consisting of the Indian Contract Act, Transfer of Property Act, Code of Civil Procedure, Hindu and Muhammadan Law, Specific Relief Act, Indian Limitation Act, Law of Evidence, and Indian Majority Act.

(vi) In Excise and Stamps, the law and rules relating to excise administration in the United Provinces (with manual), the Court-Fees and Indian Stamp Act (with Acts), and the rules relating to stamp administration in the United Provinces; and in Police, the Police Act, Agra Village and Road Police Act, and chapter IV of the Oudh Laws Act are the subjects of examination.

Investiture with higher powers and higher pay depends in part on passing this examination. Since 1910 however a further test has been added. Sir John Hewett expressed dissatisfaction with the practical training in case work which an Indian Civil Service officer in the beginning of his service received, and prescribed in that year that such an officer must attend courts of law and note on at least six sessions cases, six cases before a 1st class magistrate, four cases before a subordinate judge or munsif, and four in the court of an Assistant Collector, 1st class, and prepare a record of a full day's work in the office of the District Magistrate. He has also to write judgments in all cases and submit them to the District Magistrate and the Judge, who forward the papers with their opinion through the Commissioner, who also gives his opinion. Till all these notes have been passed by the President of the Central Examination Committee, the officer is not held to have passed the departmental examination nor can he draw Rs. 500 per mensem.

TRAINING IN LANGUAGE.

Questions 62 and 63.

44647. The Lieutenant-Governor does not consider that there has been any deterioration in the practical knowledge of the Indian languages possessed by members of the Indian Civil Service after their training is complete. It is however the case that they arrive in India more imperfectly equipped than formerly, owing to the shortness of the period of probation in England, and they thus take longer to acquire sufficient knowledge. A list of the degrees* obtained by

	*Name.	Year of appointment.	Qualifications in vernaculars.
1.	The Hon'ble Mr. Tweedy.	1879	H. S. in Sanskrit; H. P. in Hindi and Urdu.
2.	The Hon'ble Mr. J. M. Holms, C.S.I.	1883	H. P. in Urdu.
3.	Mr. B. Lindsay ..	1889	H. P. and D. H. in Urdu; H. S., H. P. and D. H. in Persian.
4.	„ S. H. Fremantle	1890	H. S. in Persian.
5.	„ J. E. Goudge..	1893	H. P. in Urdu.
6.	„ R. P. Dewhurst	1893	H. S., H. P., D. H. in Persian; H. S., H P., D. H. in Arabic, H. P. D. H. in Urdu; H. P D. H. in Hindi; H. P. in Sanskrit.
7.	The Hon'ble Mr. A. W. Pim.	1895	H. S. in Sanskrit.
8.	Mr. W. S. Marris ..	1896	H. S. in Persian and Arabic.
9.	„ A. C. Chaterji..	1897	H. S. in Sanskrit.
10.	„ A. F. Fremantle	1900	H. S. in Persian.
11.	„ G. G. Sim ..	1901	H. P. and H. S. in Urdu.
12.	„ C. Moore ..	1902	Py. in Urdu.
13.	„ C. M. King ..	1902	Py. in Urdu.
14.	„ O. F. Jenkins..	1903	Py. and H. P. in Urdu; H. P. in Hindi and Persian.
15.	„ A. C. McWatters	1904	H. S. in Urdu.
16.	„ H. G. Haig ..	1905	Py. in Urdu.
17.	„ J. M. Clay ..	1905	H. S. in Urdu.
18.	„ R. C. Hobart..	1905	Py. and H. P. in Urdu.
19.	„ A. G. Shirreff ..	1907	H. S. in Sanskrit.
20.	„ B. H. Bourdillon	1908	Py. in Urdu and H. S. in Persian.
21.	„ E. L. Norton..	1908	Py. in Urdu.

Note.—H. S.=Higher Standard.
H. P.=High Proficiency.
Py.=Proficiency.
D. H.=Degree of Honour.

officers of the Indian Civil Service is appended. The change in age takes effect from the year 1893, part of the officers recruited in that year having been appointed under the old scheme and part under the new. The 74 officers who were recruited under the old system have between them 10 language degrees. Excluding the officers who were appointed in 1912, there are 162 who came out under the new system. These officers have altogether 24 degrees and in addition 10 have passed the proficiency examination in Urdu. The proportion of degrees is thus about one to every seven officers in either case. The Lieutenant-Governor has no hesitation in saying that European members of the Indian Civil Service in this province attain to an adequate proficiency in the study of the vernacular, and it is indeed impossible that any man of average ability should not attain this in view of the circumstances of their work. A considerable proportion of court readers are still unacquainted with English, and a Joint or Assistant Magistrate has to spend several hours daily in hearing evidence, or in having read out to him reports which for the most part are in vernacular. The court staff does not include an interpreter as is understood to be the case in some provinces. From the statements which he has seen the Lieutenant-Governor gathers that some Indians hold the opinion that the knowledge of the vernacular has deteriorated. It seems probable that most of those witnesses are educated Indians who invariably speak English to a European and would, in many cases, resent being addressed in vernacular. Sir James Meston's personal recollections of the senior civilians under whom he served in his early years are that their command of the vernacular was, on the whole, less than the average civilian of to-day seeks to acquire. The departmental examination in vernacular has been stiffened considerably during recent years, and every opportunity will be taken to encourage greater fluency, particularly in standard Hindi, which there is sometimes a tendency in these provinces to neglect. One great obstacle in the way of an improved knowledge of the local vernacular is due to the following fact:—The ordinary *lingua franca* throughout the province is what is known as Hindustani, and this is understood by people of all classes in all parts except perhaps in portions of Kumaun and Bundelkhand. It was, however, not used generally as a vehicle for literary compositions till the 18th century. Previously prose was invariably written in Sanskrit or in Persian. Poetical compositions are written as a rule by Muhammadans in Hindustani and by Hindus in a number of dialects of the same language, but with a vocabulary drawn very largely from Sanskrit. The divergence of these dialects from Hindustani is considerable, and poetical compositions are difficult for a foreigner and in many cases are not readily understood by an Indian who has not made a special study of them. The educated Indian of the present day for the most part uses English. The literature available in the vernacular is thus not very attractive, on its merits, to Europeans, so far as prose is concerned, and in the case of poetry requires special study for which official duties leave small leisure.

The Government of India have recently circulated to Local Governments a draft of amended rules for the encouragement of the study of Oriental languages. The draft rules, as revised, appear to afford all reasonable opportunity for, and encouragement of, the study of such languages. One slight change may perhaps be recommended. The field of Oriental studies is very wide and encouragement of research is desirable. For the degree of honour a thesis such as is required for the B. Litt. examination at Oxford and in Continental University examinations, might be required. An extract from a note recorded by an officer of this province, bearing on this subject, is attached.

Note.

(i) There is no English history of Hindustani literature, except Dr. Grierson's, which is out of print and out of date. A monograph on some period of literature might be required as a thesis for the degree of honour and higher proficiency examinations.

(ii) Contemporary Hindustani literature, except so far as it relates to education, appears to receive no Government recognition beyond being pilloried in the quarterly list published in the *Gazette*, which has all the appearance of an *index expurgatorius*. An annual memorandum on the literature of the preceding year (on the model of Garcin de Tassy) would be a valuable record and a suitable subject for the proficiency or higher proficiency examinations.

(iii) The record of the linguistic survey is for practical purposes, only a framework. A great deal of useful work could be done in filling in the details. In particular, a vocabulary of each of the dialects would be invaluable, and this is a piece of work which could be carried out, or, at any rate, contributed to, by examinees in the course of their ordinary duties.

These are only a few instances. There are of course numberless other pieces of work in the way of editing, translating, reviewing, &c., which could be undertaken on these lines, and which would, I venture to think, have the effect of bringing both junior Civilians and Government itself more in touch with the vernacular languages and literatures.

TRAINING IN LAW.

Question 64 *et. seq.*

44648. The question of improving the knowledge of law possessed by civilians was recently considered by this Government, and the following measures were taken to improve the legal knowledge of young civilians. The departmental examination in law had, up to 1912, required a knowledge of the following Acts necessary for the administration of criminal justice:—The Indian Penal Code, the Code of Criminal Procedure, the Indian Evidence Act, the General Clauses Act, the Whipping Act, and the Public Gambling Act. To this was added an examination in civil law, comprising the Indian Contract Act, the Transfer of Property Act, the Code of Civil Procedure, Hindu and Muhammadan Law, the Specific Relief Act, the Indian Limitation Act, Law of Evidence, and the Indian Majority Act. It was further ordered, with a view to insuring practical training in case work, that each junior Civilian should attend courts of law and note on at least six sessions cases, six cases tried

by a 1st class magistrate, four cases before a Subordinate Judge or Munsif, and four in the court of an Assistant Collector, 1st class. Until his notes have been passed by the President of the Examination Committee, an officer is not held to have passed the departmental examination. In the case of officers selected for the Judicial branch further training is at present given by appointing such officers to be assistant Judges, in which capacity they assist the District and Sessions Judge on both the criminal and the civil side. This training was thought by Sir John Hewett not to go far enough in the case of officers selected for the Judicial branch, and he propounded a scheme to the Government of India for a special course of training for such officers. The need for such a training has however been, to some extent, obviated by a change made in the constitution of the Judicial branch of the service. In place of only two appointments of assistant judge, to be held by Indian Civil Service officers, this branch now includes four posts of Sessions and Subordinate judge carrying a pay of Rs. 1,200 *per mensem*. On the civil side, officers holding such posts will have the powers of a Subordinate Judge and will thus obtain a practical training in civil law before they are called on to exercise the functions of a District Judge. In the case of officers of the Judicial Service, the Lieutenant-Governor would like to watch the effects of these increased facilities for a knowledge of civil law, before suggesting any further special measures, such as the grant of study leave to Europe. He does not recommend any special course of study in law in India for officers selected for the Judicial branch, with the exception of those promoted from the Provincial Executive Service. Any of the latter class of officers who are selected for employment on the judicial side would be required to take a course of study at the University Law College, Allahabad, unless they had already obtained the LL.B. degree or had qualified as pleaders. Such officers would be posted on duty at Allahabad, but care would be taken to ensure that the work on which they might be employed would give them sufficient leisure to be able to profit by lectures. The Lieutenant-Governor has not been able to suggest details of the course, which would require consultation with legal authorities. There appears to be no necessity for encouraging the higher study of law on the analogy of the rules for the encouragement of the study of Oriental languages. The prospect of promotion to higher posts in consequence of private study of law, and the certainty of failure to obtain promotion, if study is not pursued, appear sufficient without special incentives. Apart from natives of India appointed by promotion, there appears to be no necessity for differentiation between members of the Indian Civil Service who are natives of India and others, if the scheme recommended by the Lieutenant-Governor is followed. Nor is any differentiation necessary between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent.

CONDITIONS OF SERVICE.

Questions 72—87 and 89—99.

44649. The Lieutenant-Governor accepts the general principles described in questions (72) and (73). He thinks that the period of eight years after which an officer should officiate with practical permanency in a superior post is suitable, and he would make no alteration if the age of recruitment is lowered. Twenty or 25 years ago it frequently happened that an officer officiated continuously after he had seven years' service, and the Lieutenant-Governor does not think that the Administration suffered, while the sense of responsibility among the younger men was appreciably heightened.

Tables* showing the information required by question (74) are attached. No direct inconvenience has been caused to the Administration by the failure of officers to obtain promotion in accordance with the principles set out in the preceding questions, but the Lieutenant-Governor has no hesitation in saying that the result has been to cause much disheartenment among the officers concerned, and it is only owing to their high sense of duty that the Administration has not suffered. It is possible that in some cases officers have felt themselves not able to afford to take leave when this was demanded by the state of their health, and the Administration has suffered indirectly in this manner. The Chief Secretary will submit to the Commission confidentially a copy of a letter which the Local Government has recently addressed on this subject to the Government of India.

Owing to the increase in the cadre recently sanctioned by the Secretary of State corrections are required in the printed tables AA and D [question (75)],† The number of 3rd grade Judges has been raised from 6 to 7 and of 5th from 3 to 5. In place of the 2 Assistant Judges on Rs. 1,100 and Rs. 800, 4 Sessions and Subordinate judgeships on Rs. 1,200 have been created. The number of Assistant Commissioners, 1st grade, has been increased from 6 to 8 and of Joint Magistrates, 2nd grade, from 20 to 21, while 2 posts have been added to the grade of Assistant Collector on Rs. 400 to Rs. 500. Notes A and B attached to list D require some correction. The post of Legal Remembrancer may be held by a District and Sessions Judge of any grade except the 1st. The Joint Secretary to the Board of Revenue cannot rise to the 1st grade of Magistrates and Collectors. When list D was drawn up by the Government of India a change was made in regard to the Judicial and Financial Secretaries to Government. Before that date one of these Secretaries was entitled to the post of Magistrate and Collector, 1st grade, while the other was entitled to the post of Magistrate and Collector, 2nd grade, and could also officiate in the 1st grade in his turn. This point will be referred to later. Corrected lists are appended.

The actual difficulties at present experienced by the Administration in working with the number of superior posts shown in the list for these provinces are (*a*) that occasionally the appellate work of Commissioners rises to such a figure that temporary appointments have to be made; it is not proposed to increase the number of permanent Commissioners at present: (*b*) it has long been

* *Vide* pages 187—200.

† *Vide* pages 200 and 201.

admitted that the district of Gorakhpur cannot be satisfactorily managed by a single Collector, and an experiment has been in force for some time of giving him an Indian Civil Service officer as personal assistant. It has now been reported by the local authorities that this help is not sufficient. The question whether the district shall be divided, and if so, in what manner, is under the consideration of the Government. The number of judgeships has just been increased by three.

All posts entered as superior do not carry a salary of over Rs. 1,000. The two superior posts of Deputy Commissioners of Almora and Garhwal carry a pay of Rs. 1,000 only. In addition to these posts settlement officers, the Deputy Director of Land Records and Agriculture, and the Registrar of Co-operative Credit Societies, who draw the salaries of their grade *plus* a special allowance of Rs. 150 *per mensem*, occasionally draw less than Rs. 1,000. On the 1st January 1913 one settlement officer, with a service of over 10 years, was drawing a total salary of Rs. 850, while another settlement officer, with over 11 years' service, was drawing Rs. 900 *plus* the special allowance of Rs. 150. The superior posts shown in list D are such as are ordinarily held by officers of the Indian Civil Service, but of these posts 8 judgeships have now been listed as open to members of the Provincial Judicial Service, and 2 posts of Magistrate and Collector. The post of Inspector-General of Police has, since 1911, been held by an officer of the Indian police.

The number of superior posts shown as held by members of the United Provinces cadre under the Government of India is eleven, to which must be added four posts for leave vacancies, making a total of fifteen. In the last five years on the average only 12·2 of the superior posts shown in list J have been held by members of the United Provinces cadre, but to this list must be added special temporary appointments under the Government of India, such as Additional Member of Council and ordinary deputations such as that of settlement officer in a Native State. Such posts have added in the last five years 3·5 appointments yearly under the Government of India. The total is therefore 12·2 plus 3·5, equal to 15·7 or an excess of ·7 over the sanctioned number. This discrepancy is a small one and insufficient, in the opinion of the Lieutenant-Governor, to call for any change in the present practice.

The number of superior posts allowed for temporary appointments on deputation approximates to the actual number of such appointments during the last five years, and no change in practice is necessary. Details will be furnished if required. No difficulty has been experienced owing to the arrangement by which officers recruited against temporary superior posts are shown in the lowest grade.

The number of junior officers required for the working of the Administration is afforded by the allowance of 39 per cent. on the number of superior posts. In 1910 it was urged by this Government that the three Under Secretaries to Government, the City Magistrate of Lucknow, and the Registrar of the Judicial Commissioner's court should not be included in the number thus arrived at. As has been shown in the statement prepared in accordance with question (74), a number of men with over two years but under eight years' completed service do not fill with practical permanency inferior posts. The Lieutenant-Governor would again press that the number of joint magistrates and assistant commissioners, excluding the five posts mentioned above, should correspond to the figure given by 39 per cent. on the number of superior posts.

Up to the present officers have, as a rule, completed their training and passed the departmental examination during the first two years of their service, and become qualified for full powers by the time the results of the departmental examination held in October are known. The following table shows the position of officers with two years' completed service on January 1st and on the 1st of April succeeding:—

On 1st January.

In—

1908 all were on Rs. 500 except three on Rs. 450.
1909 „ „ one „ 450.
1910 out of 9 men 5 were on Rs. 450 and 2 on Rs. 400.
1911 all were on Rs. 500 except three on Rs. 450.
1912 „ „ three on Rs. 450 and 1 on Rs. 400.
1913 out of ten men 5 were on Rs 500, two on Rs. 450, and 3 on Rs. 400.

On 1st April.

1908 only one second-year man was on Rs. 450.
1909 all were on Rs. 500.
1910 out of 9 men 2 were on Rs. 450 and one on Rs. 400.
1911 one was on Rs. 450, the rest on Rs. 500.
1912 three were on Rs. 450, the rest (6) on Rs. 500.

It is possible that the period of training may be somewhat prolonged by the changes recently introduced to ensure the study of civil law, but no definite statement can be made at present.

The distribution of the 40 per cent. allowed for leave vacancies between the three classes (*a*) superior posts, (*b*) inferior posts, and (*c*) training posts does not at present approximate to actual conditions. In the last five years at the time when the maximum number of officers were on leave, the numbers of 'superior' and 'inferior' officers on furlough were nearly the same, the total figures for the quinquennium being 138 superior and 120 inferior officers. If we take in the same way the figures of privilege leave at the time when the maximum number of officers were taking such leave, there were in all 26 superior officers on privilege leave and 31 inferior officers. The proportionate allowance of one under-training officer on leave has approximated to actual conditions, and the same may be said of the total allowance of 40 per cent. for all leave vacancies, though for a few months in the year owing to emergency leaves on medical certificates or urgent private affairs this allowance is usually slightly exceeded. The chief reason why the theoretical proportion of 32·7 per cent. for superior and 6·7 for inferior leaves is not realized in this province is the present block in promotion. This operates in two ways. In the first place junior officers up to about their 14th year lose very little pay, at any rate during 6 months in the year, by being absent on furlough, and in

consequence take short furlough much more freely than they would do if promotion were normal. In the second place, officers do not at present hold substantively superior posts until their 16th, 17th or even (in one case) 18th year. Any officer who has not been confirmed in a superior post reverts during furlough to his substantive inferior post, and thus, for the purposes of the calculation, officers who have completed about two-thirds of their service towards pension and are taking their 2nd or 3rd period of furlough still rank as 'inferior' officers. Though the proportionate leave allowance of 32·7 for superior posts and 6·7 for inferior posts fails in the present circumstances to approximate to actual conditions, the total of 40 per cent. is approximately correct, and until some means are devised for regularizing the flow of promotion it is impossible to suggest a proportionate distribution of the leave allowance which would always approximate to actual facts.

Figures showing the actual number of Indian Civil Service officers who retired in each year of the last 20 and the proportion to the total strength of the service are appended.* In addition to these it must be stated that 18 members of the various commissions retired in the 17 years from 1893 to 1909 when the last officer retired. The arithmetical mean of the annual decremental rate of Indian Civil Service officers was 3·5. The average rate of casualties for miscellaneous officers, namely 1·6 men per annum, cannot fairly be added to that for Indian Civil Service officers as the former officers were all fairly senior men. Twelve of them had been appointed before 1870. In consequence of the irregular nature of recruitment it is impossible to say whether the rate of 4·17 per cent. is a fair one. At present on a strength of 244 officers the number of casualties ought to be 10·22 annually. In the 3 years since the last Oudh officer retired the number of retirements has however been only 6 in 1910, 9 in 1911, and 5 in 1912. There has been one casualty in 1913 owing to medical reasons, but no officer is due to retire this year under the 35 years' rule, and no officer who can retire voluntarily has given notice of his intention to do so. A table† is attached comparing the sanctioned strength of the service with the actual strength during the last 10 years. The sanctioned strength at present is 239 and the actual strength 244. Recruitment by a fixed decremental rate inevitably causes at times a divergence from the sanctioned strength, but the divergence in recent years has not been considerable, and does not call for any explanation. The present system of a quinquennial examination of the conditions of service appears adequate, but it is clear that the application of the rate has not been sufficient as yet to bring the service into a properly graded condition. It is understood that the rate was worked out by ordinary actuarial methods. The experience in this province has been so abnormal that the rate cannot be tested by the results here.

The principle on which the annual indent for recruitment is regulated was laid down in 1900 by the Government of India and is as follows:— The actual strength of the service on the 1st July of the year when the estimate is made is taken as the basis of calculation. To this number are added the recruits who will come out in the course of the next two years, and from this total are deducted casualties for two years at 4·17 per cent. per annum on the actual strength on the 1st July, of the year when the estimate is made. The result gives the estimated strength on the 1st July two years hence. The Government of India subsequently laid down that if this result shows an estimate in excess of the sanctioned strength, 30 per cent. of the excess is to be deducted from the normal rate of recruitment with a view to reducing the excess. The orders of the Government of India in 1900 added that before sending in their indents, Local Governments should test the actual and prospective conditions of the service as compared with the requirements for superior appointments. This system has given as accurate results as can be expected so far as the numerical strength of the cadre is concerned. But, as the present state of affairs in the United Provinces shows, it is impossible by this method to correct the flow of promotion so that officers of

* Year.

	No. of retirements.	Percentage to total service.
1893	4	2 per cent.
1894	11	5·8 „
1895	7	3·8 „
1896	19	9 „
1897	7	3·8 „
1898	11	5·4 „
1899	8	3·8 „
1900	7	3·2 „
1901	8	3·7 „
1902	3	1·3 „
1903	7	3·1 „
1904	3	1·3 „
1905	7	3 „
1906	7	3 „
1907	9	3·9 „
1908	7	3 „
1909	10	4·2 „
1910	6	2·5 „
1911	9	3·7 „
1912	5	2·1 „
Total ..	155	70·1

Arithmetical average of percentage for 20 years is 3·5.
Average number of retirements 7·75.

†Year.

	Sanctioned strength.	Actual strength.	Difference.
1903 ..	214	220	Plus 6
1904 ..	214	225	„ 11
1905 ..	214	229	„ 15
1906 ..	226	227	„ 1
1907 ..	226	228	„ 2
1908 ..	226	228	„ 2
1909 ..	233	233	Nil.
1910 ..	233	233	Nil.
1911 ..	231	238	Plus 7
1912 ..	231	237	„ 6

over two and eight years' service may officiate continuously in inferior and superior posts respectively. If at the time when this system was started the officers already in the service had been distributed evenly in the matter of age over the different grades, it is possible that the ideal flow of promotion would have continued undisturbed under this system, but in this province since the Mutiny there never has been an even flow of promotion. It would be more correct to speak of the ebb and flow of promotion, a high tide of promotion during which junior officers officiate continuously in superior posts being followed by a low tide during which (as at present) officers in their 13th year spend the whole cold weather in inferior posts and officers in their 16th and even (in one case) 18th year do not attain substantive superior appointments. Whatever the state of promotion, the fact remains that it is essential to keep the cadre up to its full sanctioned strength in order that there may be officers forthcoming to man the sanctioned posts and take the place of those on leave and deputation. This result is duly attained by the present system of calculating recruitment, and the Lieutenant-Governor would not advise any alteration in this respect. He fears that no reasoned system of recruitment will be able to deal with spasmodic outbreaks of unduly sluggish or of over-quick promotion, and all that can be done is to apply palliatives when such crises occur. The province is going through one of these crises now. The Lieutenant-Governor has no hesitation in saying that at present the interests of individual officers in the lower grades of the service have suffered and are suffering unduly from a block in promotion, and remedial suggestions have been made to the Government of India.

The statement marked CC requires certain modifications, due to the increase in the cadre recently sanctioned by the Secretary of State.

(i) There should be 7 Judges on Rs. 2,250 and 5 on Rs. 1,666-10-8. (ii) In place of the post on Rs. 1,100 there are now 4 new appointments on Rs. 1,200. (iii) There should be 8 posts on Rs. 800 instead of 7 and 21 posts on Rs. 700 instead of 20. (iv) The number of appointments on Rs. 400—500 has risen to 73.

The statement marked DD under the head District and Sessions Judges should run as follows:—

31, 16, 51·6, 10, 32·2, 5, 16·1.

Under Joint Magistrates and Assistant Commissioners the figures are now:—

117, 15, 12·8, 29, 24·7, 73, 62·3.

There is no column in this statement where the four new posts of Sessions and Subordinate Judges on Rs. 1,200 can be shown.

Corrected statements are attached.*

Question (91).

44650. No information is available regarding the rates of pay and the number of posts in the year 1860. The earliest Civil List of the North-Western Provinces (now Agra) is dated 1863 and the earliest Oudh list is dated 1870. Figures for 1863 for the province of Agra are shown below.† The figures for 1870 have been compiled from the Civil Lists. Figures for later years are according to sanctioned scale.

The Lieutenant-Governor considers the present rates of pay suitable with small exceptions. He thinks that it would be suitable, and would increase the attractions of the service, if officers on first appointment received Rs. 450 and rose when fully qualified to Rs. 550. Every officer officiating in charge of a district, or as District and Sessions Judge should receive a minimum salary of Rs. 1,500 a month; it is unfair to place officers in these responsible positions, even for short periods, on the inadequate acting allowances which are often drawn. The two grades of District Magistrates, 2nd grade, and Deputy Commissioners, 2nd grade, might very well be amalgamated. These are very small and inexpensive concessions, but they would be greatly appreciated. It is undoubtedly the case that within the last 20 years the value of an Indian appointment has decreased and no appreciable change has been made in the emoluments of officers in these provinces for 35 years. To this extent all officers feel that their position has deteriorated. Dissatisfaction is however most serious in regard to the pay of the lower posts. It is more marked than it would have been if the old system of recruiting at the school-leaving age had been maintained, and it is intensified by the irregular recruitment which has been made in the past. The only other grievance in the matter of pay which the Lieutenant-Governor recognizes is the pressure of the cost of living upon the Commissioner and the District Officer in large stations. It is incontestable that, in important centres like Lucknow, Agra, Allahabad, Meerut, and possibly one or two others, the cost of entertaining both Europeans and Indians, of public and private subscriptions, and of similar demands on the chief civil officers taxes their finances to the utmost if they have no independent means. The Lieutenant-Governor is aware of cases of men being burdened with debt as the result of prolonged service in such places although they had no personal extravagances, and had simply tried to maintain the traditions of hospitality. It is of course wrong that our social system should be so warped as to make this possible: but the facts have to be faced. It is suggested that a local allowance of Rs. 300 per mensem to a Commissioner and Rs. 200 per mensem to a Collector or Deputy Commissioner in a few large stations would be a just recognition of their special costliness.

There has been a certain amount of dissatisfaction on the ground that the Deputy Commissioners in Kumaun and the Superintendent of Dehra Dun, while occupying the position of a District Officer, do not receive the ordinary pay of a District Officer in the plains. The Lieutenant-Governor has, however, no suggestions to make in regard to this. It will be noticed from list D in Appendix VII that the pay of the 3 grades of Magistrates and Collectors or Deputy Commissioners is exactly the same as that of the 3 lowest grades of District and Sessions Judge. Owing, however, to the method in which appointments have to be made, promotion is generally more rapid in one branch than in the other. At present it is quicker in the executive line. The most junior officer, who is Deputy Commissioner, 2nd grade, permanent, is the third officer who

* Vide page 202.
† Vide page 203.

came to India in the year 1896, while the most junior Judge is an officer occupying the 6th place among those who came to India in 1894. The Lieutenant-Governor would suggest that officers holding the posts of District Magistrates and of District and Sessions Judge should be amalgamated in one list up to the grade the pay of which is Rs. 2,250. The 2 grades of District Judge carrying higher pay must of course be kept separate.

Exchange compensation allowance, as such, is no longer justifiable with an exchange which has been practically fixed for the last 15 years. But to withdraw it now from officers who draw it (and all members of the Indian Civil Service except pure Indians do so) would be regarded as a hardship. To withhold it from future entrants would, it is feared, be taken as tantamount to a reduction in the emoluments of the service and would probably prejudice recruiting. It is recommended therefore that the general scale of pay in the Indian Civil Service be consolidated so as to absorb the rough equivalent of the allowances now paid. The consolidated pay should be given to Indians and Englishmen alike.

No inconvenience has been caused by granting acting allowance to officers selected to officiate in appointments involving increased responsibility. An officer acts in the lowest grade of the post to which he is temporarily promoted or is eligible in his turn for acting allowance in even higher grades.

An officer with a substantive appointment officiating in a higher grade is entitled to the allowances prescribed by article 105, Civil Service Regulations. A small amount of work is necessitated in the Secretariat, where draft notifications showing grade promotions are prepared, and in the Accountant-General's office, where the notifications are checked before issue. Very slight inconvenience is caused to Government or to the officers by this system. It is understood that the system is based on a change made many years ago in the method of making appointments. If acting allowances are abolished, the Lieutenant-Governor is strongly of opinion that a revision of salaries will be required.

The Lieutenant-Governor is definitely opposed for reasons which will be given below, to the substitution for the existing graded system of promotion by a time-scale. He has proposed to the Government of India compensation allowances to relieve officers at present suffering from a block, but he looks on this as a wholly emergent and temporary measure to be discontinued when promotion once more becomes normal.

44651. In this province there are three forms of judicial courts : civil, criminal, and revenue. Except in a few small backward tracts the administration of civil justice is not combined with any executive functions and is carried out solely by judicial officers. In criminal work the separation of functions is complete in the case of all the more important trials which go to the Sessions Judge and, if necessary, to the High Court, while the great mass of ordinary cases are tried by first class Magistrates who are either junior Indian Civilians or executive Provincial Service officers or in a few cases Honorary Magistrates. Appeals against the judgments of these officers go before the Judge and not before an executive superior except in certain cases under the Criminal Procedure Code. The District Magistrate is also empowered to try criminal cases, but owing to the onerous nature of his executive duties limits the exercise of his power to rare occasions, as for instance when a European is under trial and there is no other J. P. in the district to hear the case, or when some *cause célèbre*, involving religious or racial animosities, a police scandal or the reputation of a powerful landlord necessitates a tribunal beyond suspicion of fear or favour. Against any order passed in his judicial capacity by the District Magistrate an appeal lies to the Sessions Judge. The District Magistrate himself hears appeals against the decisions of the 2nd and 3rd class magistrates of his district, but these cases are almost invariably of an extremely petty nature. He also exercises a general supervision over the courts of all Magistrates in his district, partly by virtue of certain sections of the Code of Criminal Procedure and partly by watching with the aid of daily and weekly statements the quantity and punctuality of the case work disposed of by the subordinate courts. In revenue work there are two distinct classes of functions, one the decision of rent and cognate disputes arising between landlord and tenant to which the Government is not a party, the other dealing with fiscal business to which the Government is always a party. Both classes of cases are dealt with by Assistant (or Deputy) Collectors, Collectors, and Commissioners, all of whom are executive officers. The final court of appeal is the Board of Revenue. The Judicial branch of the Indian Civil Service has no concern with revenue matters, except in certain disputes of a purely civil nature.

Question (88).

The question whether a complete separation of judicial and executive functions in this province is desirable was very fully examined in 1900 and the question again came forward in 1907.

The following are the conclusions at which Sir Antony (now Lord) MacDonnell arrived in 1900 after an exhaustive inquiry :—

(i) That no abuses of serious importance have come to light in these provinces from the union of executive and judicial functions in the same hands.

(ii) That District Magistrates themselves, and the courts subordinate to them are averse to any undue interference with the independence of the judiciary in cases actually before them.

(iii) That the overwhelming opinion of the officers of Government, the taluqdars of Oudh, and the landlords of the Province of Agra is strongly opposed to any separation of these functions.

(iv) That, although Magistrates would themselves be glad to be relieved of their appellate functions, the general opinion is—

(*a*) that these functions could not be properly discharged by District and Sessions Judges without a large increase in their numbers ;

(*b*) that the exercise of these functions gives District Magistrates a material insight into the character and capacity of their subordinates.

(v) That the withdrawal of magisterial powers from the District Magistrate would greatly weaken his control over the police, and compromise his position in the eyes of the people as an

impartial arbiter, to whom they can at present appeal in their dealings with the police. It is universal Indian opinion that it is not a change in judicial system which is wanted, but more control by the Magistrate over the police.

(vi) That no scheme of separation up to the present suggested to the Government is satisfactory, and that, if separation is to be carried out, there must be a large increase in both the European and native judicial staff, which the finances of the province cannot possibly bear.

(vii) Generally, the Indian public are satisfied with existing arrangements of the union of judicial and executive functions in the same hands. Separation would not meet any practical want, and would not be in accordance with the almost universal public opinion of the provinces.

Without endorsing these conclusions in their entirety, and while fully appreciating the theoretical arrangements for a separation of the judicial and executive functions, Sir James Meston doubts if there is any general demand for it, under present conditions, in these provinces. It is stoutly insisted upon by a certain section of the press, as one of the standard reforms of which the British system of government is said to be in need; but the insistence seems to have weakened since the tide of Hindu-Muhammadan feeling began to run high. The evils of combining judicial and executive powers in the hands of the district staff have not received any practical demonstration in these provinces since Sir James Meston took over charge. He understands however that it is urged, against the existing system, (i) that the District Officer might use his magisterial powers against persons who thwart him in his executive duties, or against persons distasteful to him; and (ii) that the officer who controls and is responsible for the police of his district should not also control the subordinate magistracy who may have to animadvert on the work of the police. The first of these objections is mainly speculative; and instances of such abuse of power are unlikely to remain concealed by their victims or condoned by the Government. The second objection has more force, but it is based on the supposition that the double control is more often exercised for the detriment than for the benefit of the subject. It is doubtful if this can be sustained. For a subordinate magistracy, which is not so competent as it might be and is habitually overworked, the temptation is considerable to take the easier line and throw over the police in criminal cases of a difficult type; and the steadying influence of an officer who is interested in seeing that the preventive and detective agency is not unfairly or lightly condemned is generally exercised for the public good. The task of maintaining peace and order in these provinces is not an easy one; and if the means employed are not manifestly wrong, it is undesirable to weaken them for academical considerations.

The position of the Lieutenant-Governor in brief is this. He recognises the abstract justice of the claim for separation. But he believes that the abuses which separation would remove are comparatively few, and that their growth can be permanently checked by a vigilant Local Government and by a Civil Service which realizes its responsibilities. The practical advantages of the change would not, in his opinion, be worth the extra cost which it would involve; and there is no real popular demand for it.

CONDITIONS OF SALARY.

Questions 100—103.

44652. The Lieutenant-Governor is not in favour of a time-scale. To relieve officers suffering from the present block in promotion he has suggested the grant of allowances which will, to some extent, operate as a time-scale, but he looks on this as a temporary expedient. His experience of the working of time-scales is based on his service as Financial Secretary to the Government of India, during which he was much impressed by the practical difficulties which it presents. A time-scale is perhaps desirable in the case of very small cadres where promotion cannot be regulated at sufficiently even rates by ordinary vacancies. In a large service, when once the service has become properly graded, a time-scale is quite unnecessary. It may even be harmful, in deadening the incentive to effort, and in securing continuous promotion for mediocrity.

Question 104.

44653. The present system, under which Statutory Civilians and officers of the Provincial Civil Service, holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service, is not wholly satisfactory. The Lieutenant-Governor would drop the distinction when the methods of recruitment are altered; and even for present incumbents he considers that an increase is required in the present scale. He would accept the scale given below which is approximately based on a rate of ⅔ths of the pay at present drawn by members of the Indian Civil Service. In the case of one high appointment, which is open to officers of the Provincial Service, namely that of Judicial Commissioner or Additional Judicial Commissioner in Oudh, he would give the full pay of the appointment at once. If the scheme advocated in the earlier part of this memorandum is accepted, the disappearance of the listing system should carry with it all differentiation in pay and allowances. The Indian Civil Service as reconstituted should offer the same terms to all its members, in whatever way recruited.

			Rs.
Judges	1st grade	.. ..	2,250
„	2nd „	.. ..	1,900
„	3rd „	.. ..	1,700
„	4th „	.. ..	1,400
„	5th „	.. ..	1,250
Collectors,	1st „	.. ..	1,800
„	2nd „	.. ..	1,400
„	3rd „	.. ..	1,250

Question 105.

44654. It has been stated above that when the Government of India last revised the cadre of the Indian Civil Service a change was made in the conditions of pay of the Financial and Judicial Secretaries to this Government. That change was made without any suggestion on the part of this Government and it has not been explained by the Government of India. The Lieutenant-Governor is strongly of opinion that the senior of these two Secretaries should draw not less than the pay of a Magistrate and Collector of the 1st grade, and that the junior should

draw not less than the pay of a Magistrate and Collector of the 2nd grade, and should be eligible in his turn to receive the pay of the 1st grade. Similarly he considers that the Legal Remembrancer when appointed substantively should receive not less than the substantive pay of a Judge of the 5th grade. The Secretaries to this Government are decidedly underpaid as compared with the corresponding officials in other and smaller provinces.

CONDITIONS OF LEAVE.

Questions (106—117).

44655. An analysis of the numbers on leave on the 1st October of each year for the last 20 years does not reveal any very remarkable changes. The quinquennial percentages are as follows :—

	1893—97.	1897—1902.	1903—7.	1908—12.
Furlough	..8·7	13·7	13	14·9
Medical certificate	..3·5	2·8	3·3	3·8
Special leave	.. ·9	1·1	2·3	3·1
Privilege leave	..7·7	8·7	6	4·9

In considering these figures it must be remembered that 1897, the last of the first quinquennium, was a year of very severe famine and so has unduly reduced the average of the first quinquennium and raised that of the 2nd quinquennium. They would otherwise have been about 11 and 12. Also it must be remembered that in 1901 the new leave rules, allowing the amalgamation of privilege leave with furlough, special leave, and medical certificate, were introduced. There has been a small but gradual increase in the average number of furloughs and special leaves. The number of leaves on medical certificate has remained nearly constant, but privilege leaves have decreased. The gradual increase in the number of furloughs is probably due in part to the increased facilities of travel and in part to the steadily increasing wear and tear of official life; but though there has been an increase in the number of furloughs the actual amount of furlough taken has decreased. Nowadays officers most frequently combine three months' privilege leave with three or four months' furlough so as to carry them over one hot weather. For instance on the 1st October 1912, there were 33 officers absent on furlough; but on the 1st January 1913 there were only 18. The number of furloughs admissible is subject to a definite maximum, which is reached nearly every hot weather. It follows that the number of men on furlough in the cold weather is decreasing. The increase in the number of special leaves is due mainly to the fact that several junior Civilians of four or five years' service (who are not entitled to furlough until after eight years' service) combine three months' privilege leave with three months' leave on urgent private affairs. This combination has only been possible since the introduction of the present leave rules in 1901. In this case, as in the case of furlough, the improved facilities of travel are largely responsible for the increase, but in recent years the block in promotion, owing to which junior officers lose very little by being on furlough pay, has been a contributory cause.

The decrease in the number of men taking privilege leave by itself is due to the fact that since 1901 it has been possible to combine privilege leave with other kinds of leave. The decrease is therefore not real.

All the leave on full pay due to them is ordinarily taken by officers of the Indian Civil Service. Under article 246, C. S. R., not more than 3 months' privilege leave can be accumulated at a time; the result of this rule is that, whenever a famine or other press of work occurs, a varying number of officers with 3 months' or more privilege leave due to them are prevented for another year or more from going on leave and continue to earn privilege leave which is not credited to them. This is in some cases, but not in all, counterbalanced by the grant of special privilege leave. Such a grant has in the past always been conditional on actual service in a district where famine has been declared and is thus not available for officers whose leave may have been stopped owing to the prevalence of famine, though they were not actually serving in a famine district. The Lieutenant-Governor is disposed to allow the accumulation of more than 3 months' privilege leave, whenever an officer is prevented by the exigencies of the service from taking leave at a time when the maximum of 3 months is due to him.

All the furlough due to them is very rarely taken by officers of the Indian Civil Service. On July the 1st, 1912, the proportion of furlough taken by all members then entitled to it was 49·4 per cent. or 326 years out of a possible 661. The reasons are (i) officers like to keep some furlough in reserve for possible necessities, (ii) owing to the block in promotion, and the fact that officers now marry at an earlier stage than they did, when the conditions of entrance were different, they are, in many cases, not able to make any provision for furlough. A senior man receiving a nominal allowance of £1,000 while on furlough cannot meet his necessary expenses if he has a family to educate. In the middle ranks the difficulty has increased by the fact that the furlough allowance has not reached the maximum admissible. Calculations show that while the officers numbered 1 to 108 in the Civil List for 1st July 1912 have taken about 54 per cent. of the furlough due to them, there is then a sudden and steady decline as shown below :—

Nos. 109—120	44·8	per cent. of leave due.
„ 121—132	41·5	„ „
„ 133—144	35·3	„ „
„ 145—156	34·0	„ „
„ 157—168	31·3	„ „

The only officers who take all the furlough due to them are those who have private means and those who have been obliged to take sick leave. The Lieutenant-Governor has no change to suggest in the rate of furlough allowances or in the concession of granting this at the privileged rate of exchange of 1s. 6d. to the rupee.

As a result of the recommendations made by the Royal Commission on Decentralization in India, the Government of India have recently referred to Local Governments a set of draft rules removing certain administrative restrictions on the grant of leave contained in articles 232—236, 260, and 271—277, Civil Service Regulations. A number of officers have been consulted and their replies are still under consideration. The Lieutenant-Governor regrets that he is not yet in a position to give a definite reply to the questions whether the present leave rules cause inconvenience to the Administration or press hardly on officers of the Indian Civil Service,

In a country like India, where men are working for half the year in a trying climate and sudden illness is not uncommon, it is necessary to have liberal leave rules. The grant of leave inevitably causes transfers. Endeavours are made to minimise this as much as possible. In 1903, before the new rules for combination of privilege leave with furlough came into force, 103 officers of the Indian Civil Service were transferred, while in 1911, 109 were moved. It is, however, necessary to consider along with these the number of transfers of Deputy Collectors. This decreased from 111 in 1900 to 88 in 1911, although the cadre of Deputy Collectors had been considerably increased in 1903 and in 1907. The only marked inconvenience to the Administration, which has come to the notice of Sir James Meston, is the possibility of granting combined privilege leave and special leave to officers who have not completed eight years' service, and are thus not eligible for furlough. It has been the practice to scrutinise all such applications rigidly and only to grant them where they are supported by very special reasons; and though this is inconvenient and at times invidious, it seems preferable to altering the rules.

In the case of officers of the Provincial Service it is often difficult to give privilege leave at the time when it is asked for. Among Hindus marriages take place only at certain times of the year, and there are certain seasons at which marriages would not be performed. Leave is often asked for in connection with weddings. The Lieutenant-Governor does not consider it essential that the rules for officers of the Provincial Service employed in listed posts should be so liberal as those for Indian Civil Service officers, as the latter are, with few exceptions, working in a foreign land under a climate which for a large portion of the year is trying to Europeans.

CONDITIONS OF PENSION.

Questions (118—135).

44656. Sir James Meston would not alter the system by which members of the Indian Civil Service contribute a fixed proportion of their salary. He would maintain a special pension of £1,200 a year for Judges of the High Court, and would make no change in the present conditions. He would maintain, subject to a power of compulsory premature retirement on reduced pension for inefficiency, the present system of equal annuities. In this respect he expresses his own view rather than that of the majority of his officers who would, he believes, favour a variety of modifications. The Lieutenant-Governor admits the apparent anomaly of a system which gives an officer the same pension whether he has served for twenty-five or for thirty-five years, however large or small may have been his contributions to it, however mediocre or however valuable may have been his work. But the Indian Civil Service in its own interest would do well to accept the anomaly, lest it fare worse. The assured £1,000 a year is one of the greatest attractions to good men to enter the service, and one of the greatest solaces to members of the Service when working, as they often are, in circumstances of great worry and physical difficulty. It would be easy enough to reconstruct the pension system: it would be very far from easy to get better terms for the Service than it now enjoys. And the contributory scheme is a form of compulsory insurance against retirement which the Lieutenant-Governor would be extremely sorry to see withdrawn.

The Lieutenant-Governor is in favour of power being given to a Local Government to order the retirement of an officer found to be inefficient. He would grant to such an officer a pension not exceeding the amount which would be due to him if invalided by a medical board, and he considers that such a pension should be capable of reduction, in cases where the inefficiency is not merely temperamental, by an amount decided by the Government of India on the recommendation of the Local Government. The stage of an officer's service at which inefficiency should ordinarily be detected and declared is the period at which his fitness to hold charge of a district or a judgeship is being decided upon. There are cases of course of men breaking down, either physically or intellectually, after they have passed that stage and obtained normal promotion. But the most frequent and the most important cases for decision should be those of men who are not considered fit to be posted, when their turn by seniority comes, as Collector or Sessions Judge. It is for these posts that a Civilian's training is intended to qualify him; and if a man is unequal to fill them when his time comes, it is indefensible to retain him in the Service.

While however it is essential to have power to discharge unprofitable servants, it is proper that the Service should be given a reasonable assurance against the oppressive use of that power. An officer charged with inefficiency should be entitled to call for a commission of enquiry, and the report of such a commission should be submitted by the Local Government to the Government of India before an order of compulsory retirement is passed.

Subject to the grant of power to retire inefficient officers on reduced pensions, the Lieutenant-Governor would not alter the present rules regulating voluntary and compulsory retirement. No military officers at present hold Indian Civil Service posts in these provinces, and the Lieutenant-Governor has no suggestion to make in regard to their pensions.

Only three Statutory Civilians are at present in the Service. The Lieutenant-Governor sees no reason for altering the present system regulating their pensions. An officer of the Provincial Service holding a listed post is almost invariably entitled to the maximum pension of Rs. 5,000 a year or £333 to which he has made no contribution during his service. If this be compared with the pension of an Indian Civil Service officer to which the holder has contributed 4 per cent. of his pay, or on the average half the pension, it does not appear to the Lieutenant-Governor that the holders of listed posts are ungenerously treated. He has thus no suggestions to make for alteration in the present system.

The Lieutenant-Governor is not prepared to make any suggestions in regard to the regulations of the Indian Family Pension Fund, or the facilities at present offered to Statutory Civilians

and members of the Provincial Civil Service holding listed posts for providing for their families against their decease. Before formulating any proposals he would prefer to consult the officers concerned.

The Lieutenant-Governor is not prepared to approve of the admission of Natives of India of pure Asiatic descent to the benefits of the Indian Civil Service Family Pension Fund. He sees no objection to their having a separate fund of their own, or to their joining the General Provident Fund on special concessionary terms.

Tables referred to in preceding note with reference to question (74).

January 1908.

OFFICERS OF OVER 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks.
		Y. m. d.	Rs. a. p.	Rs. a. p.	
121	Mr. A. Yusuf Ali	11 11 14	800 0 0	200 0 0	
133	Please see footnote.				
134	„ N. C. Stiffe	11 0 16	700 0 0	200 0 0	
135	„ E. A. Phelps	11 0 25	700 0 0	200 0 0	
136	„ E. E. P. Rose	11 1 6	700 0 0	200 0 0	
137	„ J. L. Johnston	10 10 8	700 0 0	200 0 0	
138	„ J. C. Smith	11 0 25	700 0 0	200 0 0	L. A. 250 (Lalitpur).
139	Please see footnote.				
140	„ C. A. Mumford	11 0 24	700 0 0	200 0 0	
141	„ A. C. Chaterji	10 0 22	700 0 0	200 0 0	L. A. 150
143	„ S. P. O'Donnell	10 1 10	1,000 0 0	..	Under Secretary.
145	„ W. S. Cassels	10 1 10	700 0 0	200 0 0	
146	„ A. W. R. Cole	10 1 11	700 0 0	200 0 0	
149	„ V. E. G. Hussey	9 0 4	700 0 0	200 0 0	
150	„ D. Dewar	9 1 11	700 0 0	200 0 0	
152	„ W. Gaskell	9 1 11	700 0 0	200 0 0	L. A. 100 (A. S. O.).
153	„ C. L. Alexander	9 0 25	700 0 0	200 0 0	L. A. 200. Dy. Supdt., Family Domains.
158	„ A. P. Charles	9 0 26	700 0 0	200 0 0	L. A. 100.
159	„ R. C. Tute	9 1 11	700 0 0	200 0 0	
160	„ E. P. Fawcett	9 0 25	700 0 0	200 0 0	L. A. 250 (Kasia).
161	„ E. F. Oppenheim ..	8 0 27	700 0 0	..	
163	„ F. F. Sladen	8 0 20	700 0 0	..	D. A. 150. Special Manager.
164	„ L. M. Jopling	8 1 11	1,000 0 0	..	
166	„ J. B. Ormrod	8 1 16	500 0 0	200 0 0	
167	„ G. C. Badhwar	8 1 14	800 0 0	..	
168	„ G. F. Adams	8 1 0	500 0 0	200 0 0	
170	„ H. G. Walton	8 0 12	500 0 0	200 0 0	
171	„ H. R. Nevill	8 1 11	500 0 0	200 0 0	

N.B.—(i) No. 133, Mr. E. deM. Humphries, who was getting Rs. 1,050, including a local allowance of Rs. 150; and No. 139, Mr. W. Raw, who was getting Rs. 1,050, including local allowance of Rs. 150, have not been shown as they were settlement officers, posts which are considered superior.

(ii) L. A.=Local allowance. D. A.=Deputation allowance.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks
		Y. m. d.	Rs. a. p.	Rs. a. p.	
204	Mr. O. F. Jenkins	4 1 16	500 0 0	..	
207	„ W. E. J. Dobbs.. ..	3 1 2	500 0 0	..	
208	„ E. M. Cook	3 1 4	500 0 0	..	
209	„ E. Bennet	3 1 2	500 0 0	..	
211	„ F. C. Chamier	3 1 5	500 0 0	..	
212	„ H. G. Haig	2 1 0	500 0 0	..	
213	„ J. M. Clay	2 1 0	500 0 0	..	
218	„ R. C. A. S. Hobart ..	2 1 3	500 0 0	..	

April 1908.

OFFICERS OF OVER 8 YEARS' SERVICE.

134	Mr. E. A. Phelps	11 3 25	700 0 0	200 0 0	
135	„ E. E. P. Rose	11 4 6	700 0 0	200 0 0	
137	„ J. C. Smith	11 3 25	700 0 0	200 0 0	L. A. 250 (Lalitpur).
138	Please see footnote.				
139	„ C. A. Mumford	11 3 24	700 0 0	200 0 0	
142	„ S. P. O'Donnell.. ..	10 4 10	1,000 0 0	..	Under Secretary.
144	„ W. S. Cassels	10 4 10	700 0 0	200 0 0	
145	„ A. W. R. Cole	10 4 11	700 0 0	200 0 0	
148	„ V. E. G. Hussey ..	9 3 4	700 0 0	200 0 0	
149	„ D. Dewar	9 4 11	700 0 0	200 0 0	
151	„ W. Gaskell	9 4 11	700 0 0	200 0 0	L. A. 100 (A. S. O.).
152	„ C. L. Alexander ..	9 3 25	700 0 0	200 0 0	L. A. 200. Dy. Supdt., Family Domains.
157	„ A. P. Charles	9 3 26	500 0 0	333 5 4	L. A. 100. Regr., Judl. Commr's. Court.
159	„ E. P. Fawcett	9 3 25	500 0 0	333 5 4	L. A. 250 (Kasia).
160	„ E. F. Oppenheim ..	8 3 27	500 0 0	333 5 4	
165	„ J. B. Ormrod	8 4 16	500 0 0	333 5 4	
167	„ G. F. Adams	8 4 0	500 0 0	333 5 4	
169	„ H. G. Walton	8 3 12	500 0 0	200 0 0	
170	„ H. R. Nevill	8 4 11	500 0 0	200 0 0	

N.B.—The list does not include Mr. Raw, No. 188, salary Rs. 1,050, who was a settlement officer (included in the superior cadre posts).

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

207	Mr. E. Bennet	3 4 2	500 0 0	..	
209	„ F. C. Chamier	3 4 5	500 0 0	..	
210	„ H. G. Haig	2 4 0	500 0 0	..	
211	„ J. M. Clay	2 4 0	500 0 0	..	
214	„ I. B. Mandal	2 3 3	500 0 0	..	
215	„ P. W. Marsh	2 4 6	500 0 0	..	
216	„ R. C. A. S. Hobart ..	2 4 3	500 0 0	..	

July 1908.

OFFICERS OF OVER 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary.		Remarks.
			Pay.	Acting allowance.	
		Y. m. d.	Rs. a. p.	Rs. a. p.	
133	Mr. J. C. Smith	11 6 24	700 0 0	200 0 0	L. A. 250 (Lalitpur).
135	„ C. A. Mumford	11 6 23	700 0 0	200 0 0	
138	„ S. P. O'Donnell	10 7 9	1,000 0 0	..	Under Secretary.
144	„ V. E. G. Hussey	9 6 8	700 0 0	200 0 0	
147	„ W. Gaskell	9 7 10	700 0 0	200 0 0	L. A. 100 (A. S. O.).
148	„ C. L. Alexander	9 6 24	700 0 0	200 0 0	L. A. 200. Dy. Supdt., Family Domains.
153	„ A. P. Charles	9 6 25	700 0 0	200 0 0	L. A. 100. Regr., Judl. Commr's. Court.
155	„ E. P. Fawcett	9 6 24	700 0 0	200 0 0	L. A. 250 (Kasia).
156	„ E. F. Oppenheim ..	8 6 26	700 0 0	200 0 0	
161	„ J. B. Ormrod	8 7 15	500 0 0	333 5 4	
163	„ G. F. Adams	8 6 29	500 0 0	333 5 4	
165	Please see footnote.				
166	„ H. R. Nevill	8 7 10	500 0 0	333 5 4	

N.B.—This does not include Mr. H. G. Walton, No. 165, who was officiating as Deputy Commissioner of Garhwal (a superior cadre post) but only drawing Rs. 500 plus Rs. 333-5-4.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Nil.

October 1908.

OFFICERS OF OVER 8 YEARS' SERVICE.

138	Mr. S. P. O'Donnell	10 10 9	1,000 0 0	..	Under Secretary.
153	„ A. P. Charles	9 9 25	700 0 0	200 0 0	L. A. 100. Regr., Judl. Commr's. Court.
165	Please see footnote.				
166	„ H. R. Nevill	8 10 10	500 0 0	333 5 4	D. A. 20 per cent. On revision of Gazetteer duty.

N.B.—The list does not include Mr. H. G. Walton, No. 165, who was officiating as Deputy Commissioner of Garhwal (a superior cadre post) but drawing only Rs. 500 plus Rs. 333-5-4.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Nil.

January 1909.

OFFICERS OF OVER 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary.		Remarks.
			Pay.	Acting allowance.	
		Y. m. d.	Rs. a. p.	Rs. a. p.	
130	Mr. E. E P. Rose	12 1 6	800 0 0	200 0 0	
131	„ J. L. Johnston	11 0 8	800 0 0	..	
132	„ J. C. Smith	12 0 25	700 0 0	200 0 0	L. A. 250 (Lalitpur).
133	„ W. Raw	12 0 25	700 0 0	200 0 0	
137	„ S. P. O'Donnell.. ..	11 1 10	1,000 0 0	..	Under Secretary.
139	„ W. S. Cassels	11 1 10	700 0 0	200 0 0	
143	„ V. E. G. Hussey ..	10 0 4	700 0 0	200 0 0	
145	„ F. B. Sherring	10 1 11	700 0 0	200 0 0	
148	„ L. M. Stubbs	10 0 26	700 0 0	200 0 0	
151	„ M. Keane	10 1 11	700 0 0	200 0 0	
152	„ A. P. Charles	10 0 26	700 0 0	200 0 0	L. A. 100. Regr., Judl. Commr's. Court.
157	„ F. F. Sladen	9 0 20	700 0 0	200 0 0	L. A. 150 Special Manager.
158	„ L. M. Jopling	9 1 11	1,000 0 0	..	City Magistrate, Lucknow.
159	„ A. C. Holmes	9 1 12	700 0 0	200 0 0	
160	„ J. B. Ormrod	9 1 16	500 0 0	333 5 4	
161	„ G. C. Badhwar	9 1 14	500 0 0	333 5 4	
162	„ G. F. Adams	9 1 0	500 0 0	333 5 4	
163	„ S. G. deC. Ireland ..	9 1 10	500 0 0	333 5 4	
164	„ H. G. Walton	9 0 12	500 0 0	333 5 4	
165	„ H. R. Nevill	9 1 11	500 0 0	200 0 0	D. A. 20 per cent. On Special duty.
168	„ C. E. D. Peters	8 1 11	500 0 0	200 0 0	D. A. 150. Special Manager, Ajodhya.
169	„ C. M. Collett	8 0 29	500 0 0	200 0 0	L. A. 100 (Mahoba).
170	„ E. R. Neave	8 1 11	500 0 0	200 0 0	
172	„ H. A. Lomas	8 0 15	500 0 0	200 0 0	
	OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.				
201	Mr. E. M. Cook	4 1 4	500 0 0	..	
202	„ E. Bennet	4 1 2	500 0 0	..	
204	„ F. C. Chamier	4 1 5	500 0 0	..	
205	„ H. G. Haig	3 1 0	500 0 0	..	
206	„ J. M. Clay	3 1 0	500 0 0	..	
207	„ G. B. F. Muir	3 1 6	500 0 0	..	
209	„ I. B. Mandal	3 0 3	500 0 0	..	
210	„ P. W. Marsh	3 1 6	500 0 0	..	
211	„ R. C. A. S. Hobart ..	3 1 3	500 0 0	..	
212	„ I. D'O. Elliott	2 1 6	500 0 0	..	
213	„ H. Bomford	2 1 6	500 0 0	..	
214	„ V. N. Mehta	2 1 0	500 0 0	..	
215	„ B. S. Kisch	2 1 6	500 0 0	..	
216	„ W. T. M. Wright ..	2 1 4	500 0 0	..	

April 1909.

OFFICERS OF OVER 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks.
		Y. m. d.	Rs. a. p.	Rs. a. p.	
127	Mr. N. C. Stiffe	12 3 16	800 0 0	200 0 0	
131	„ J. C. Smith	12 3 25	700 0 0	200 0 0	L. A. 250 (Lalitpur).
136	„ S. P. O'Donnell	11 4 10	1,000 0 0	..	Under Secretary.
138	„ W. S. Cassels	11 4 10	700 0 0	200 0 0	
142	„ V. E G. Hussey	10 3 4	700 0 0	200 0 0	
150	„ M. Keane	10 4 11	700 0 0	200 0 0	
158	„ A. C. Holmes	9 4 12	500 0 0	333 5 4	
159	„ J. B. Ormrod	9 4 16	500 0 0	333 5 4	L. A. 200. Offg. Dy. Supdt., Family Domains.
160	„ G. C. Badhwar	9 4 14	500 0 0	333 5 4	
161	„ G. F. Adams	9 4 0	500 0 0	333 5 4	
162	„ S. G. deC. Ireland ..	9 4 10	500 0 0	333 5 4	
163	„ H. G. Walton	9 3 12	500 0 0	333 5 4	
164	„ H. R. Nevill	9 4 11	500 0 0	333 5 4	
168	„ C. M. Collett	8 3 29	500 0 0	333 5 4	L. A. 100 (Mahoba)
169	„ E. R. Neave	8 4 11	500 0 0	200 0 0	

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

205	Mr. G. B. F. Muir	3 4 6	500 0 0	..	
207	„ I. B. Mandal	3 3 3	500 0 0	..	
208	„ P. W. Marsh	3 4 6	500 0 0	..	
209	„ R. C. A. S. Hobart ..	3 4 3	500 0 0	..	
210	„ I. D'O. Elliott	2 4 6	500 0 0	..	
211	„ H. Bomford	2 4 6	500 0 0	..	
212	„ V. N. Mehta	2 4 0	500 0 0	..	
213	„ B. S. Kisch	2 4 6	500 0 0	..	
214	„ W. T. M. Wright ..	2 4 4	500 0 0	..	
215	„ G. M. Harper	2 4 6	500 0 0	..	

July 1909.

OFFICERS OF OVER 8 YEARS' SERVICE.

134	Mr. S. P. O'Donnell	11 7 9	1,000 0 0	..	Under Secretary.
157	„ J. B. Ormrod	9 7 15	500 0 0	333 5 4	D. A. 200. Dy. Supdt., Family Domains.
158	„ G. C. Badhwar	9 7 18	500 0 0	333 5 4	
162	„ H. R. Nevill	9 7 10	500 0 0	333 5 4	D. A. at 20 per cent. of his salary; Gazetteer work.
169	„ H. A. Lomas	8 6 14	500 0 0	333 5 4	

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Nil.

October 1909.

OFFICERS OF OVER 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks.
		Y. m. d.	Rs. a. p.	Rs. a. p.	
150	Mr. E. P. Fawcett	10 9 24	700 0 0	200 0 0	
157	„ G. C. Badhwar	9 10 13	500 0 0	333 5 4	
160	„ H. G. Walton	9 9 11	500 0 0	333 5 4	
161	„ H. R. Nevill	9 10 10	500 0 0	333 5 4	
168	„ H. A. Lomas	8 9 14	500 0 0	333 5 4	

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Nil.

January 1910.

OFFICERS OF OVER 8 YEARS' SERVICE.

115	Mr. A. A. Hasan Ali ..	13 10 5	1,000 0 0	..	
119	„ J. C. Fergusson ..	13 0 24	1,000 0 0	..	
120	„ E. deM. Humphries ..	13 0 23	1,000 0 0	..	
131	„ G. B. Lambert ..	12 0 26	700 0 0	200 0 0	L. A. 250 (Karwi).
132	„ W. S. Cassels ..	12 1 10	700 0 0	200 0 0	
137	„ D. Dewar	11 1 11	700 0 0	200 0 0	D. A. ⅛th of salary. On Special duty.
138	„ F. B. Sherring	11 1 11	700 0 0	200 0 0	
139	„ L. M. Stubbs	11 0 26	700 0 0	200 0 0	
146	„ R. C. Tute	11 1 11	700 0 0	200 0 0	
147	„ E. P. Fawcett	11 0 25	700 0 0	200 0 0	L. A. 250 (Kasia).
148	„ E. F. Oppenheim ..	10 0 27	700 0 0	200 0 0	
149	„ C. E. Guiterman ..	10 0 12	700 0 0	200 0 0	
150	„ F. F. Sladen	10 0 20	700 0 0	200 0 0	D. A. 150. Special Manager.
151	„ L. M. Jopling	10 1 11	1,000 0 0	..	City Magistrate, Lucknow.
152	„ A. C. Holmes	10 1 12	700 0 0	200 0 0	
153	„ J. B. Ormrod	10 1 16	500 0 0	200 0 0	L. A. 200. Dy. Supdt., Family Domains.
154	„ G. C. Badhwar	10 1 14	500 0 0	200 0 0	
155	„ G. F. Adams	10 1 0	500 0 0	200 0 0	
156	„ S. G. deC. Ireland ..	10 1 10	500 0 0	200 0 0	
157	„ H. G. Walton	10 0 12	500 0 0	200 0 0	
158	„ H. R. Nevill	10 1 11	500 0 0	200 0 0	
159	„ A. F. Fremantle ..	9 1 6	500 0 0	200 0 0	
161	„ C. E. D. Peters	9 1 11	500 0 0	200 0 0	D. A. 150. Special Manager.
162	„ C. M. Collett	9 0 29	500 0 0	200 0 0	L. A. 100 (Mahoba).
163	„ E. R. Neave	9 1 11	500 0 0	200 0 0	
165	„ H. A. Lomas	9 0 15	500 0 0	200 0 0	
167	„ G. G. Sim	8 1 0	1,000 0 0	..	Under Secretary.
168	„ T. K. Johnston	8 1 0	800 0 0	..	Assistant Judge.
169	„ R. W. D. Willoughby ..	8 1 6	500 0 0	200 0 0	D. A. ⅛th of salary. On Special duty.
170	„ E. M. Nanavati ..	8 0 13	500 0 0	200 0 0	

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary.		Remarks.
			Pay.	Acting allowance.	
		Y. m. d.	Rs. a. p.	Rs. a. p.	
198	Mr. J. M. Clay	4 1 0	500 0 0	..	
199	„ G. B. F. Muir	4 1 6	500 0 0	..	
201	„ I. B. Mandal	4 0 3	500 0 0	..	
202	„ P. W. Marsh	4 1 6	500 0 0	..	
203	„ R. C. A. S. Hobart ..	4 1 3	500 0 0	..	
204	„ I. D'O. Elliott	3 1 6	500 0 0	..	
205	„ H. Bomford	3 1 6	500 0 0	..	
206	„ V. N. Mehta	3 1 6	500 0 0	..	
207	„ B. S. Kisch	3 1 6	500 0 0	..	
208	„ W. T. M. Wright ..	3 1 4	500 0 0	..	
209	„ G. M. Harper	3 1 6	500 0 0	..	
212	„ Panna Lal	2 0 1	500 0 0	..	
213	„ F. C. M. Cruickshank ..	2 1 7	500 0 0	..	

April 1910.

OFFICERS OF OVER 8 YEARS' SERVICE.

118	Mr. J. C. Fergusson	13 3 24	1,000 0 0	..	
119	„ E. deM. Humphries ..	13 3 23	1,000 0 0	..	
129	„ S P. O'Donnell ..	12 4 10	700 0 0	200 0 0	
139	„ C. L. Alexander	11 3 25	700 0 0	200 0 0	L. A. 200. Dy. Supdt., Family Domains.
142	„ J. C. Nelson	11 4 0	700 0 0	200 0 0	
145	„ E. P. Fawcett	11 3 25	700 0 0	200 0 0	L. A. 250 (Kasia).
146	„ E. F. Oppenheim ..	10 3 27	700 0 0	200 0 0	
149	„ L. M. Jopling	10 4 11	1,000 0 0	..	City Magistrate, Lucknow.
151	„ J. B. Ormrod	10 4 16	700 0 0	200 0 0	
152	„ G. C. Badhwar	10 4 16	700 0 0	200 0 0	
154	„ S. G. deC. Ireland ..	10 4 10	500 0 0	333 5 4	
155	„ H. G. Walton	10 3 12	500 0 0	333 5 4	
157	„ A. F. Fremantle ..	9 4 6	500 0 0	333 5 4	
158	„ C. E. D. Peters	9 4 11	500 0 0	333 5 4	D. A. 150. Special Manager, Ajodhya.
159	„ C. M. Collett	9 3 29	500 0 0	333 5 4	L. A. 100 (Mahoba).
160	„ E. R. Neave	9 4 11	500 0 0	200 0 0	
163	„ H. A. Lomas	9 3 15	500 0 0	200 0 0	
164	„ E. A. H. Blunt	8 4 0	500 0 0	200 0 0	D. A. 300. Census duty.
165	„ G. G. Sim	8 4 0	1,000 0 0	..	Under Secretary.
166	„ T. K. Johnston	8 4 0	800 0 0	..	Assistant Judge.
167	„ R. W. D. Willoughby ..	8 4 6	500 0 0	200 0 0	D. A. ⅓th of salary. On Special duty.
169	„ E. M. Nanavati ..	8 3 13	500 0 0	200 0 0	

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks.
		Y. m. d.	Rs. a. p.	Rs. a. p.	
204	Mr. V. N. Mehta	3 4 0	500 0 0	..	
205	„ B. S. Kisch	3 4 6	500 0 0	..	
206	„ W. T. M. Wright ..	3 4 4	500 0 0	..	
207	„ G. M. Harper	3 4 6	500 0 0	..	
208	„ J. R. T. Booth	2 4 7	500 0 0	..	
209	„ P. Mason	2 3 23	500 0 0	..	
210	„ Panna Lal	2 3 1	500 0 0	..	
211	„ F. C. M. Cruickshank ..	2 4 7	500 0 0	..	
213	„ H. G. Smith	2 4 7	500 0 0	..	
214	„ J. F. Sale	2 4 2	500 0 0	..	

July 1910.

OFFICERS OF OVER 8 YEARS' SERVICE.

139	Mr. J. C. Nelson	11 6 29	700	200 0 0	
140	„ M. Keane	11 7 10	700	200 0 0	L. A. 350. Private Secy. to H. H.
142	„ E. P. Fawcett	11 6 24	700	200 0 0	L. A. 250 (Kasia).
148	„ J. B. Ormrod	10 7 15	700	200 0 0	L. A. 200. Dy. Supdt., Family Domains.
149	„ G. C. Badhwar	10 7 18	700	200 0 0	
158	„ E. R. Neave	9 7 10	500	333 5 4	
160	„ H. A. Lomas	9 6 14	500	333 5 4	
161	„ E. A. H. Blunt	8 6 29	500	333 5 4	D. A. 300. Census duty.
164	„ R. W. D. Willoughby ..	8 7 5	500	333 5 4	
166	Please see footnote.		..	..	

N.B.—This does not include Mr. E. M. Nanavati, No. 166, service 8-3-12, who was officiating as Assistant Judge, 1st grade, a superior post, but was only drawing Rs. 500 plus acting allowance Rs. 400.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Nil.

October 1910.

OFFICERS OF OVER 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks.
		Y. m. d.	Rs. a. p.	Rs. a. p.	
137	Mr. L. M. Stubbs	11 9 25	700 0 0	200 0 0	
139	„ J. C. Nelson	11 9 29	700 0 0	200 0 0	L.A. 350. Private Secy. to H. H.
140	„ M. Keane	11 10 10	700 0 0	200 0 0	
142	„ E. P. Fawcett	11 9 24	700 0 0	200 0 0	L.A. 250 (Kasia).
149	„ G. C. Badhwar	10 10 13	700 0 0	200 0 0	
158	„ E. R. Neave	9 10 10	500 0 0	333 5 4	
160	„ H. A. Lomas	9 9 14	500 0 0	333 5 4	
162	„ G. G. Sim	8 9 29	1,000 0 0	..	Under Secretary.
166	Please see footnote.				

N.B.—This does not include Mr. E. M. Nanavati, No. 166, service 8-9-12, who was acting as Assistant Judge, 1st grade. Pay Rs. 500 plus acting allowance Rs. 400.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Nil.

January 1911.

OFFICERS OF OVER 8 YEARS' SERVICE.

133	Mr. W. Gaskell	12 1 11	700 0 0	200 0 0	On special duty.
134	„ C. L. Alexander	12 0 25	700 0 0	200 0 0	L. A. 200. Dy. Supdt., Family Domains.
135	„ L. M. Stubbs	12 0 26	700 0 0	200 0 0	
137	„ J. C. Nelson	12 1 0	700 0 0	200 0 0	
140	„ E. P. Fawcett	12 0 25	700 0 0	200 0 0	L. A. 250 (Kasia).
141	„ E. F. Oppenheim ..	11 0 27	700 0 0	200 0 0	
146	„ J. B. Ormrod	11 1 16	700 0 0	200 0 0	
147	Please see footnote.				
150	„ H. G. Walton	11 0 12	500 0 0	333 5 4	
151	„ H. R. Nevill	11 1 11	500 0 0	333 5 4	
152	„ A. F. Fremantle	10 1 6	500 0 0	333 5 4	
154	„ C. E. D. Peters	10 1 11	500 0 0	333 5 4	D. A. 150. Special Manager.
156	„ E. R. Neave	10 1 11	500 0 0	200 0 0	
157	„ H. A. Lomas	10 0 15	500 0 0	333 5 4	
158	„ E. A. H. Blunt	9 1 0	500 0 0	333 5 4	D. A. 300. Census.
159	„ G. G. Sim	9 1 0	500 0 0	333 5 4	On special duty. D. A. ⅓th of salary.
161	„ D. L. Drake-Brockman ..	9 0 27	500 0 0	333 5 4	
163	„ K. N. Knox	9 1 14	500 0 0	333 5 4	
166	„ C. Moore	8 1 1	500 0 0	333 5 4	
167	„ C. H. B. Kendall	8 0 28	500 0 0	200 0 0	
168	„ C. M King.	8 1 17	1,000 0 0	..	City Magistrate, Lucknow.
169	„ G. Flowers	8 0 17	500 0 0	200 0 0	
170	„ E. S. Liddiard	8 1 1	500 0 0	200 0 0	L. A. 100. Regr., Judl. Commr's. Court.
171	„ C. W. Grant	8 1 1	500 0 0	200 0 0	L. A. 250. (Lalitpur).

N.B.—This does not include Mr G. C. Badhwar, No. 147, service 11-1-14, who was offg. Assistant Judge, 1st grade, but only drawing Rs. 700+266-10-8 (966-10-8)

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks.
		Y. m. d.	Rs. a. p.	Rs. a. p.	
203	Mr. Panna Lal	3 0 1	500 0 0	..	
204	„ F. C. M. Cruickshank ..	3 1 7	500 0 0	..	
205	„ A. G. Shirreff	3 0 23	500 0 0	..	
206	„ H. G. Smith	3 1 7	500 0 0	..	
207	„ J. F. Sale	3 1 2	500 0 0	..	
208	„ C. W Gwynne	3 1 7	500 0 0	..	
209	„ N. Walker	3 1 2	500 0 0	..	
210	„ B. H. Bourdillon ..	2 1 9	500 0 0	..	
212	„ H. A. Lane	2 1 9	500 0 0	..	
214	„ E. H. H. Edye	2 1 9	500 0 0	..	
216	„ J. V. S. Wilkinson ..	2 1 0	500 0 0	..	
217	„ G. O. Allen	2 1 9	500 0 0	..	
218	„ R. B. Smith	2 1 9	500 0 0	..	
219	„ E. L. Norton	2 1 2	500 0 0	..	

April 1911.

OFFICERS OF OVER 8 YEARS' SERVICE.

137	Mr. J. C. Nelson	12 4 0	700 0 0	200 0 0	
140	„ E. P. Fawcett	12 3 25	700 0 0	200 0 0	L. A. 250 (Kasia).
156	„ E. R. Neave	10 4 11	800 0 0	..	Assistant Judge, 2nd grade.
158	„ E. A. H. Blunt	9 4 0	500 0 0	333 5 4	D. A. 300. Census.
159	„ G. G. Sim	9 4 0	500 0 0	333 5 4	On special duty. D. A. ⅓th of salary.
161	„ D. L. Drake-Brockman ..	9 3 27	500 0 0	333 5 4	
163	„ K. N. Knox	9 4 14	500 0 0	333 5 4	
165	„ D. M. Stewart	8 2 29	500 0 0	333 5 4	L. A. 250 (Karwi).
166	„ C. H. B. Kendall ..	8 3 28	500 0 0	333 5 4	
168	„ C. M. King	8 4 17	1,000 0 0	..	City Magistrate
169	„ G. Flowers	8 3 17	500 0 0	333 5 4	
171	„ C. W. Grant	8 4 1	500 0 0	333 5 4	L. A. 250 (Lalitpur).

* Does not include Mr. G. C. Badhwar, No. 147, who was officiating as Assistant Judge, 1st grade, though drawing only Rs. 700 + 266-10-8.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

218	Mr. R. B. Smith	2 4 9	500 0 0	..	
219	„ E. L. Norton	2 4 2	500 0 0	..	

July 1911.

OFFICERS OF OVER 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks.
		Y. m. d.	Rs. a. p.	Rs. a. p.	
136	Mr. J. C. Nelson	12 6 29	700 0 0	200 0 0	
153	„ C. E. D. Peters	10 7 10	500 0 6	466 10 8	Officiating Chairman, Municipal Board.
162	„ K. N. Knox	9 7 13	500 0 0	333 5 4	
164	„ D. M. Stewart	8 5 28	500 0 0	333 5 4	L. A. 250 (Karwi).
166	„ C. H. B. Kendall ..	8 6 27	500 0 0	333 5 4	

N.B.—This does not include Mr. G. C. Badhwar, No. 146, service 11-7-13, who was officiating as Assistant Judge. 1st grade, but only drawing Rs. 700 + 266-10-8.

OFFICERS OF OVER 2 BUT BELOW 8 YEARS' SERVICE.

Nil.

October 1911.

OFFICERS OF OVER 8 YEARS' SERVICE.

158	Mr. D. L. Drake-Brockman ..	9 9 26	500 0 0	333 5 4	L. A. 250 (Lalitpur).
160	„ K. N. Knox	9 10 13	500 0 0	333 5 4	
162	„ D. M. Stewart	8 8 28	500 0 0	333 5 4	L. A. 250 (Kasia).
164	„ C. H. B. Kendall ..	8 9 27	500 0 0	333 5 4	
165	„ C. M. King	8 10 16	1,000 0 0	..	City Magistrate, Lucknow.

N.B.—This does not include Mr G. C. Badhwar, No. 146, acting Assistant Judge, 1st grade, on Rs. 966-10-8.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Nil.

January 1912.

OFFICERS OF OVER 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks.
		Y. m. d.	Rs. a. p.	Rs. a. p.	
140	Mr. G. F. Adams	12 1 0	700 0 0	200 0 0	
143	„ H. R. Nevill	12 1 11	700 0 0	200 0 0	
144	„ A. F. Fremantle ..	11 1 6	700 0 0	200 0 0	
150	„ E. A. H. Blunt ..	10 1 0	700 0 0	200 0 0	D. A. 300. Census.
153	„ D. L. Drake-Brockman ..	10 0 17	700 0 0	200 0 0	L. A. 250 (Lalitpur).
154	„ E. M. Nanavati ..	10 0 13	700 0 0	200 0 0	
155	„ K. N. Knox	10 1 14	500 0 0	333 5 4	
157	„ D. M. Stewart	8 11 29	500 0 0	333 5 4	L. A. 250 (Karwi).
159	„ C. H. B. Kendall ..	9 0 28	500 0 0	333 5 4	
160	„ C. M. King	9 1 17	1,000 0 0	..	City Magistrate.
164	„ H. S. Crosthwaite ..	8 1 2	1,000 0 0	..	Under Secretary.
165	„ A. G. P. Pullan ..	8 1 2	500 0 0	333 5 4	D. A. 250. Special Manager.
166	„ B. C. Forbes	8 1 2	500 0 0	333 5 4	L. A. 100. Regr., Judl. Commr's. Court.
167	„ B. W. Wahl	8 1 2	500 0 0	333 5 4	
168	Kunwar Jagdish Prasad ..	8 0 21	500 0 0	333 5 4	
170	Mr. R. H. Williamson ..	8 1 2	500 0 0	333 5 4	
171	„ O. F. Jenkins	8 1 16	500 0 0	333 5 4	On Special duty. D. A. $\frac{1}{4}$th of salary.

N.B.—The above list does not include Mr. G. C. Badhwar and Mr. E. S. Liddiard, of whom the former was officiating as Assistant Judge, 1st grade, and the latter was a settlement officer, both the appointments being technically superior, though their pay and allowances did not exceed Rs. 1,000.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

210	Mr. R. B. Smith	3 1 9	500 0 0	..	
211	„ E. L. Norton	3 1 2	500 0 0	..	
212	„ J. N. G. Johnson ..	2 1 9	500 0 0	..	
215	„ J. H. Darwin	2 1 7	500 0 0	..	
216	„ T. Sloan	2 1 7	500 0 0	..	
217	„ H. J. Collister	2 1 3	500 0 0	..	
220	„ B. J. K. Hallowes ..	2 1 0	500 0 0	..	

April 1912.

OFFICERS OF OVER 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks.
		Y. m. d.	Rs. a. p.	Rs. a. p.	
140	Mr. H. R. Nevill	12 4 11	700 0 0	200 0 0	
145	„ E. R. Neave	11 4 11	700 0 0	200 0 0	
147	„ E. A. H. Blunt	10 4 0	700 0 0	200 0 0	D. A. 300. Census duty.
149	„ R. W. D. Willoughby ..	10 4 6	700 0 0	100 0 0	Under Secretary.
150	„ D. L. Drake-Brockman ..	10 3 27	700 0 0	200 0 0	L. A. 250 (Lalitpur).
151	„ E. M. Nanavati ..	10 3 13	700 0 0	200 0 0	
152	„ K. N. Knox	10 4 14	700 0 0	200 0 0	
154	„ D. M. Stewart	9 2 29	700 0 0	200 0 0	L. A. 250 (Karwi).
156	„ C. H. B. Kendall ..	9 3 28	500 0 0	333 5 4	
157	„ C. M. King	9 4 17	1,000 0 0	..	City Magistrate.
162	„ A. G. P. Pullan	8 4 2	500 0 0	333 5 4	D. A. 250. Special Manager.
163	„ B. C. Forbes	8 4 2	500 0 0	333 5 4	L. A. 100. Regr., Judl. Commr's. Court
164	„ B. W. Wahl	8 4 2	500 0 0	333 5 4	
165	Kunwar Jagdish Prasad ..	8 3 21	500 0 0	333 5 4	

N.B.—This does not include Mr. E. S. Liddiard, who as settlement officer was drawing Rs. 500 + 483.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

214	Mr. H. J. Collister	2 4 8	500 0 0	..	
215	„ C. F. Wood	2 3 29	500 0 0	..	
217	„ B. J. K. Hallowes ..	2 4 0	500 0 0	..	

July 1912.

OFFICERS OF OVER 8 YEARS' SERVICE.

146	Mr. E. A. H. Blunt	10 6 29	700 0 0	200 0 0	D. A. 300. Census.
148	„ R. W. D. Willoughby ..	10 7 5	800 0 0	200 0 0	
151	„ K. N. Knox	10 7 13	700 0 0	200 0 0	
155	„ C. H. B. Kendall ..	9 6 27	700 0 0	200 0 0	
162	„ B. C. Forbes	8 7 1	500 0 0	333 5 4	L. A. 100. Regr., Judl. Commr's. Court.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Nil.

October 1912.

OFFICERS OF OVER 8 YEARS' SERVICE.

Number on the gradation list.	Name.	Period of service.	Salary. Pay.	Salary. Acting allowance.	Remarks.
		Y. m. d.	Rs. a. p.	Rs. a. p.	
148	Mr. R. W. D. Willoughby ..	10 10 5	1,000 0 0	..	Under Secretary.
151	„ K. N. Knox	10 10 13	700 0 0	200 0 0	
155	„ C. H. B. Kendall ..	9 9 27	500 0 0	333 5 4	
162	„ B. C. Forbes	8 10 1	500 0 0	333 5 4	L. A. 100. Regr., Judl. Commr's. Court.

OFFICERS OF OVER 2 AND BELOW 8 YEARS' SERVICE.

Nil.

Lists referred to in preceding note with reference to question (75).

UNITED PROVINCES.

APPENDIX VII.

AA.

Statement showing the cadre and strength of the Indian Civil Service for India as a whole and by Presidencies, as sanctioned on 1st July 1912, together with the number of posts listed as open to the Provincial Service in accordance with the terms of the Rules made under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3).

(1)	Number of 'superior' posts, *i.e.* posts carrying a salary of over Rs. 1,000 a month in the Presidency or Province	117
(2)	Deduct for posts listed as open to Provincial Service	10
(3)	Add for posts under the Government of India (*a*)	11
(4)	Balance number of 'superior' posts	118
(5)	Add 4 per cent. for temporary posts and for deputation. (N.B.—For such posts additions are made in the lowest grade of assistants) ...	5
(6)	Total number of 'superior' posts on which recruitment is based ...	123
(7)	Add 'inferior' posts, *i.e.* posts above the lowest grade of assistant, but below the 'superior' posts, at 39 per cent. of line (6)	48
(8)	Add leave reserve at 40 per cent. of line (6)	49
(9)	Add training reserve at 15·5 per cent. of line (6)	19
(10)	Strength of service required at 194·5 per cent. of line (6)	239
(11)	Rate of recruitment at 4·17 per cent. of strength shown in line (10) ...	9·96

(*a*) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular province.

LIST D.

UNITED PROVINCES.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs. a. p.
1	Lieutenant-Governor	8,333 5 4
3	High Court Judges	4,000 0 0
1	Judicial Commissioner	3,500 0 0
2	Members, Board of Revenue	3,500 0 0
1	Additional Judicial Commissioner	3,333 5 4
1	Chief Secretary	3,000 0 0
2	District and Sessions Judges, 1st grade	3,000 0 0
9	Commissioners	2,916 10 8
1	Inspector-General of Police	2,500-100-3,000 0 0
1	Opium Agent	2,500-100-3,000 0 0
1	Commissioner, Kumaun	2,500 0 0
(a) 7	District and Sessions Judges, 2nd grade	2,500 0 0
(b) 19	Magistrates and Collectors, 1st grade	2,250 0 0
(a) 7	District and Sessions Judges, 3rd grade	2,250 0 0
(a) 10	District and Sessions Judges, 4th grade	1,833 5 4
(b) 17	Magistrates and Collectors, 2nd grade	1,833 5 4
4	Deputy Commissioners, 1st grade	1,833 5 4
(a) 5	District and Sessions Judges, 5th grade	1,666 10 8
(b) 10	Deputy Commissioners, 2nd grade	1,666 10 8
1	Registrar, High Court	1,600 0 0
4	Settlement officers ... } Salary of grade *plus* special allowance of Rs. 150.	
(c) 1	Deputy Director of Land Records }	
1	Registrar, Co-operative Credit Societies ... ... }	
1	Superintendent, Dehra Dun	1,500 0 0
1	Deputy Commissioner, Naini Tal	1,500 0 0
4	Sessions and Subordinate Judges	1,200 0 0
2	Deputy Commissioners of Garhwal and Almora ...	1,000 0 0
Total ... 117		
Deduct — 10	For posts listed as open to the Provincial Service.	
Add + 11	For posts under the Government of India.	
Balance 118		
	Inferior posts, i.e. *posts above the lowest grade of assistants but below the 'superior' posts in order of pay.*	Rs.
2	Under Secretaries	1,000
1	Under Secretary...	800
1	City Magistrate, Lucknow	1,000
14	Joint Magistrates, 1st grade	1,000
8	Assistant Commissioners, 1st grade	800
21	Joint Magistrates, 2nd grade	700
1	Registrar, Judicial Commissioner's Court ...	Salary of grade *plus* special allowance of Rs. 100.
Total ... 48		
	Reserve posts, *i.e.* Assistant Collectors	400—500
5	Reserve for temporary posts and for deputations.	
49	Leave reserve.	
19	Training reserve.	
Total ... 73		

(a) Includes the Legal Remembrancer.
(b) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture, and Commissioner of Excise.
The Joint Secretary to the Board of Revenue cannot rise to the 1st grade of Magistrates and Collectors.
(c) Total emoluments are subject to a maximum of Rs. 2,000.

Corrected statements referred to in preceding note in reference to question (75).

CC.

Nature of posts.	United Provinces. No.	Pay. Rs. a. p.
Lieutenant-Governor and Chief Commissioner.	1	8,333 5 4
Judges of the High Court ..	3	4,000 0 0
Board of Revenue ..	2	3,500 0 0
Commissioners of divisions	10 (9)	2,916 10 8
	(1)	2,500 0 0
Chief Secretary to Government.	1	3,000 0 0
Judicial Commissioners ..	(1)	3,500 0 0
	2 (1)	3,333 5 4
District and Sessions Judges or Divisional Judges and District Judges.	(2)	3,000 0 0
	(7)	2,500 0 0
	31 (7)	2,250 0 0
	(10)	1,833 5 4
	(5)	1,666 10 8
Collectors or Deputy Commissioners.	(19)	2,250 0 0
	(21)	1,833 5 4
	54 (10)	1,666 10 8
	(2)	1,500 0 0
	(2)	1,000 0 0
Miscellaneous posts ..	(d) 7 (2)	2,500 0 0 to 3,000 0 0
	(1)	1,600 0 0
	(4)	1,200 0 0
Under Secretaries to Government.	3 (2)	1,000 0 0
	(1)	800 0 0
Joint Magistrates or Assistant Commissioners, 1st grade.	23 (e) (15)	1,000 0 0
	(8)	800 0 0
Joint Magistrates, 2nd grade,	21	700 0 0
Assistant Collectors or Commissioners.	73	400 0 0 to 500 0 0
Appointments which do not carry fixed pay and the salary of which depends on the position of their holders.	7 ...	
Total ..	238	

(*d*) Inspector-General of Police, Opium Agent, Registrar of High Court and four Sessions and Subordinate Judges.

(*e*) Includes City Magistrate of Lucknow.

Note.—Deduct 10 listed posts from this total of 238 and add 11 appointments under the Government of India. Total 239.

D.D.

Presidency or province.	Collectors or Deputy Commissioners.						District and Sessions Judges, including Divisional and District Judges.						Sessions and Subordinate Judges on Rs. 1,200.	Joint Magistrates, Assistant Collectors, and Assistant Commissioners.					
	Total No. of appointments.	Appointments in the grades of Rs. 2,250 and over		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.	Total No. of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.	Total No. of appointments.	Total No. of appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 500 and over but below Rs 700.	
		No.	Percentage.	No.	Percentage.	No.		No.	Percentage.	No.	Percentage.	No.			No.	Percentage.	No.	Percentage.	No.	Percentage.
United Provinces.	54	19	35·2	21	38·9	14	31	16	51·6	10	32·2	5	4	117	15	12·8	29	24·7	73	62·3

Table giving information required in question (91).

1863.

			Rs.	a.	p.
Commissioners of divisions (in Province of Agra)	..	5 on	2,916	10	8
In Jhansi	..	1 „	2,500	0	0
In Kumaun	..	1 „	2,000	0	0
Special Commissioner of Gorakhpur	..	1 „	2,750	0	0
Judges	..	16 „	2,500	0	0
Magistrates and Collectors		22 „	2,250	0	0
Joint Magistrates and Deputy Collectors, 1st grade		21 „	1,000	0	0
Joint Magistrates and Deputy Collectors, 2nd grade		9 „	700	0	0

1870.

The North-Western Provinces Civil List for 1870 gives no sanctioned scale, and on account of furloughs and officiating appointments it is difficult from the gradation list to tell exactly what the sanctioned number of posts was. It appears to have been for the—

N.-W. P.

		Rs.	a.	p.
5	Commissioners in North-Western Provinces on	2,916	10	8
1	Commissioner in Jhansi	2,500	0	0
1	Ditto in Kumaun on ..	2,000	0	0
18	Judges	2,500	0	0
27	Magistrates and Collectors, 1st grade ..	2,250	0	0
26	Joint Magistrates and Deputy Collectors, 1st grade	1,000	0	0
18	Joint Magistrates and Deputy Collectors, 2nd grade	700	0	0

OUDH.

4	Commissioners	2,750	0	0
4	Deputy Commissioners, 1st grade ..	1,833	5	4
4	Ditto 2nd „ ..	1,666	10	8
4	Ditto 3rd „ ..	1,333	5	4
6	Assistant Commissioners, 1st „ ..	800	0	0
6	Ditto 2nd „ ..	700	0	0
16	Ditto 3rd „ ..	500	0	0

1st April 1880.

Commissioners of Divisions—

5	in Agra	2,916	10	8
4	in Oudh	2,500	0	0
1	in Jhansi	2,500	0	0
1	in Kumaun	2,000	0	0
1	Excise Commissioner ..	2,250	0	0
22	Magistrates and Collectors, 1st grade ..	2,250	0	0
8	Ditto 2nd „ ..	1,833	5	4
18	Joint Magistrates, 1st grade ..	1,000	0	0
15	Ditto 2nd „ ..	700	0	0
2	Judges	3,000	0	0
7	Ditto	2,500	0	0
10	Ditto	1,833	5	4

OUDH.

1	Judge	1,833	5	4
1	Ditto	1,666	10	8
2	Deputy Commissioners	1,333	5	4
4	Ditto 1st grade ..	1,833	5	4
4	Ditto 2nd „ ..	1,666	10	8
4	Ditto 3rd „ ..	1,333	5	4
6	Assistant Commissioners, 1st „ ..	800	0	0
6	Ditto 2nd „ ..	700	0	0
12	Ditto 3rd „ ..	500	0	0

1890.

Commissioners of Divisions—				
5	.. ..	2,916	10	0
5	.. ..	2,500	0	0
1	.. ..	2,000	0	0
22	Magistrates and Collectors, 1st grade ..	2,250	0	0
8	Ditto 2nd „ ..	1,833	5	4
4	Deputy Commissioners, 1st „ ..	1,833	5	4
6	Ditto 2nd „ ..	1,666	10	8
5	Ditto 3rd „ ..	1,333	5	4
18	Joint Magistrates, 1st grade ..	1,000	0	0
8	Assistant Commissioners, 1st grade ..	800	0	0
24	Joint Magistrates, 2nd grade ..	700	0	0
2	District and Sessions Judges, 1st grade.	3,000	0	0
7	District and Sessions Judges, 2nd grade. (North-Western Provinces.)	2,500	0	0
10 plus	District and Sessions Judges, 3rd grade. (North-Western Provinces.)	1,833	5	4
1	District and Sessions Judge, 1st grade.	1,833	5	4
1	District and Sessions Judge, 2nd grade. (Oudh)	1,666	10	8
2	District and Sessions Judges, 3rd grade. (Oudh)	1,333	5	4

1900.

8 / 1	Commissioners of divisions ..	2,916 / 2,000	10 / 0	8 / 0
18	Magistrates and Collectors, 1st grade	2,250	0	0
17	Ditto 2nd „	1,833	5	4
4	Deputy Commissioners, 1st grade	1,833	5	4
10	Ditto 2nd „	1,666	10	8
16	Joint Magistrates, 1st grade	1,000	0	0
6	Assistant Commissioners, 1st grade	800	0	0
24	Joint Magistrates, 2nd grade	700	0	0
2	District and Sessions Judges, 1st grade	3,000	0	0
7	Ditto 2nd „	2,500	0	0
6	Ditto 3rd „	2,250	0	0
10	Ditto 4th „	1,833	5	4
3	Ditto 5th „	1,666	10	8

1912.

9 / 1	Commissioners of divisions ..	2,916 / 2,500	10 / 0	8 / 0
19	Magistrates and Collectors, 1st grade	2,250	0	0
17	Ditto 2nd „	1,833	5	4
4	Deputy Commissioners, 1st „	1,833	5	4
10	Ditto 2nd „	1,666	10	8
14	Joint Magistrates, 1st grade	1,000	0	0
6	Assistant Commissioners, 1st grade	800	0	0
20	Joint Magistrates, 2nd grade	700	0	0
2	District and Sessions Judges, 1st grade	3,000	0	0
7	Ditto 2nd „	2,500	0	0
6	Ditto 3rd „	2,250	0	0
10	Ditto 4th „	1,833	5	4
3	Ditto 5th „	1,666	10	8

Memorandum relating to the Provincial Civil Service.

METHODS OF RECRUITMENT.

Questions (1—8).

44657. The Lieutenant-Governor accepts as generally suitable the conditions for recruitment to the Provincial Civil Service prescribed by the Government of India in Resolution No. 1046, dated the 19th August 1910. Recently the Government of India in the Foreign Department recommended to this Government the case of men who have passed the Higher Diploma of the Mayo College, Ajmer. Most of these will, it is understood, not be residents of the United Provinces. The Lieutenant-Governor is, however, prepared to consider favourably cases of men who have family connections with the United Provinces and also cases of residents in such States as are in the habit of freely employing residents of these provinces. The number of suitable applicants in the province itself is, however, already large and it is not likely that candidates from outside will be accepted unless there are exceptional circumstances in their favour. Some criticism has been made on the principle of paragraph 3(1) which requires the due representation in the public service of different classes of the community. This question will be considered later. Criticism has also been directed against paragraph 3(6) which provides that Europeans, who are not statutory natives of India, shall, with the sanction of the Government of India, be eligible for appointment, if qualified. This rule, though very seldom used, should be retained to meet exceptional cases. The rule in paragraph 3(5), which requires an advocate, barrister or pleader to have practised in India for at least three years before appointment, has also been challenged. It has been alleged that under the rule, as it stands, a man practises at the Bar for three years, and it is only in the case where he thinks he is likely not to be successful, that he applies for the appointment of a Munsif. Such an argument does not appear to the Lieutenant-Governor to be well founded; many men aim at Government employment from the outset, and work well during their three years at the Bar, in order to get the necessary experience and recommendations. The rule gives the appointing authority an opportunity of ascertaining what a man is made of. Moreover, actual experience has shown that a satisfactory class of candidate can be got. One drawback which has existed up to the present is that there was no class of probationary Munsifs. Selected candidates have had to spend considerable periods during part of which they were officiating in leave vacancies, while in the interval they had to return and practise at the Bar. The breaks operated to injure their practice, and it seems to be undoubtedly the case that good men have been lost. Under the new scheme, which is to come into force shortly, a number of posts have been created for probationers, and this difficulty will be reduced.

A copy of the rules* governing the appointment of Deputy Collectors and of Munsifs is attached at the end of these answers. Under section 7, Act XII, 1887, the High Court of Judicature for the North-Western Provinces nominates persons to the office of Munsif in the Province of Agra, and the persons so nominated are appointed by the Local Government. In Oudh the appointments are made by Government after consultation with the Judicial Commissioner. The rules appear to the Lieutenant-Governor to be generally suitable. It is understood that the chief proposal made by non-officials for a change in the method of recruiting the Executive branch is to recruit a portion or all of the Deputy Collectors by examination. For reasons, which will be explained below, such a system does not commend itself to the Lieutenant-Governor. Another criticism which has been made is that promotion from the subordinate grades of the public service should be stopped on the ground that men, who have been a long time in subordinate service, lose the strict sense of honour. The Lieutenant-Governor is not prepared to advocate a change in this direction. It is of the highest importance to both the general public and Government that the subordinate service of tahsildars and naib tahsildars should be of a high standard. For this reason the access by promotion of the best men from those grades to the Provincial Executive Service is desirable. The criticism can be removed by careful selection for promotion. The Lieutenant-Governor is satisfied that the standard of probity in the case of both the subordinate and the Provincial Service has risen greatly.

The statement in Appendix B, showing the constitution of the Provincial Civil Service, requires alteration. The existing number of Deputy Collectors in the Rs. 500 grade should be 36 instead of 35, and in the Rs. 400 grade 52 instead of 53. The post of Assistant Registrar, Co-operative Credit Societies, was originally included in the Rs. 400 grade, but when the term of the appointment was extended for another 5 years in 1912 the post was transferred to the Rs. 500 grade. The statement also omits probationary Deputy Collectors whose number at present is 28. Sanction has however been received recently from the Secretary of State to the revision of the cadre of Deputy Collectors. It is proposed to bring the new scale into force in 5 stages, as provincial finances may permit. A table showing the stages by which the new grade will be introduced is attached. The first stage will take effect from March 1st, 1913.

Pay in rupees.	Present number.	1st stage.	2nd stage.	3rd stage.	4th stage.	5th stage.
800	4	5	6	7	8	8
700	6	7	8	9	10	11
600	12	14	16	18	20	22
500	36	37	40	42	45	47
400	52	57	62	66	70	74
300	55	58	61	64	67	70
250	58	56	53	51	48	46
Probationers. Average pay Rs. 176 ..	28	29	31	32	33	34
Total ..	251	263	277	289	301	312

The different systems of recruitment adopted for the Provincial Civil Service are described below.

**Vide* pages 214—217.

In 1886, when the first Public Service Commission assembled, Deputy Collectors used to be appointed by the Local Government in the Province of Agra on the nomination of the Board and in Oudh on the recommendation of Commissioners. A large proportion of the men appointed had had experience as tahsildars or head clerks in Collectors' offices or had served in the Police, Education or other departments. The experiment was also then being tried of appointing young men of promise as honorary Deputy Collectors in the first instance. The eventual recommendation of the Commission was that the Provincial Service should be filled up partly by promotion from the subordinate service and partly by recruitment, promotion in the former case being made "on the principle of selection as a reward for conspicuous merit." In 1893, rules framed on the basis of the recommendation of the Public Service Commission were notified by this Government. They laid down that admission to the Provincial Service should be *(a)* by recruitment, *(b)* by promotion from the subordinate service, and specified certain indispensable qualifications, among which may be mentioned residence in the province for at least three years and a thorough knowledge of the vernacular. Not less than two-thirds of the appointments made annually were to be by promotion from the subordinate service, and the Board of Revenue, the Inspector-General of Police, the Director of Public Instruction, the Chief Engineer, and the Accountant-General were empowered to nominate subordinates. For the selection of candidates not already in Government service, the six largest colleges in the province were divided into two groups, and every alternate year six nominations were to be received from each group. This latter system however was abandoned a few years later, as the Lieutenant-Governor discovered that in the case of one of these colleges nominations were given to only those whose families had subscribed to the college funds. A new resolution was accordingly issued in 1898 by Sir Antony (now Lord) MacDonnell, the chief points being the withdrawal of the power of nomination from the Director of Public Instruction and the Accountant-General, an injunction to the Board that their nominees should ordinarily be selected from tahsildars (to the exclusion of collectorate and treasury head clerks who could hitherto be nominated under the 1893 rules), and thirdly the institution of an annual competitive examination for three posts of probationary Deputy Collector to be filled by graduates of the Allahabad University. Under the rules published in 1898 it was open to every graduate of the Allahabad University to apply for permission to appear at this examination provided that he satisfied certain necessary conditions, and provided that, if already in the Government service, he obtained permission from the head of his department. A committee, composed of a Member of the Board, the Director of Land Records and Agriculture, and the Director of Public Instruction, had to scrutinize these applications, interview the applicant personally if they considered it desirable, and reject any applicant whom they found *primâ facie* unsuited for the post of Deputy Collector The list of applicants who had passed this preliminary scrutiny was then to be submitted to the Government and, after revision by that authority, published in the local gazette. Only the candidates whose names appeared in this list were allowed to appear at the examination which was held every February. The subjects and marks for the examination were (1) English, 300; (2) History of England and India, 125 each; (3) Hindi, 120; (4) Urdu, 80; (5) Law, 250; (6) Mathematics, 250, and (7) "the physical and social qualifications of the candidates and their family claims," 200.

In 1901, an educational conference was held at Simla, which recommended the abolition of competitive examinations as the qualifying test for the higher appointments. The view taken by the Government of India was that the principle of competition for Government posts was unknown in India till a few years before and did not spring from the traditions of the people; and that the exercise of legitimate patronage was an important function of Government which ought not to be committed to the chances of the examination room. This view commended itself to the Lieutenant-Governor, Sir James LaTouche, both on general grounds and because (to quote this Government's Resolution No. 3828 of 1903) the system of limited competition had "failed to secure for the public service candidates of the class required or to bring about a due representation of the different sections of the community." Accordingly the annual examination was abolished and the rules of appointment were once more revised. Two-thirds of the appointments were still reserved for the subordinate service, but nomination by Commissioners, the Board of Revenue, and the Director of Public Instruction took the place of selection by competitive examination.

These rules were yet again revised by Sir John Hewett. The estimate of annual vacancies was raised from thirteen to nineteen as a result of the increase in the cadre of Deputy Collectors, and it was ordered that, instead of two-thirds, only half of the candidates should be selected by promotion. In practice ten and nine candidates in alternate years are selected by promotion and nine and ten by direct recruitment. The nomination of men already in Government service was reserved exclusively for the Board whose nominees must, as a rule, be tahsildars and in no case other than executive officials, though not necessarily of the revenue branch. Of the directly recruited candidates two should ordinarily be Europeans and Anglo-Indians who are graduates of the Allahabad University: The other appointments are divided between distinguished Indian graduates, and men belonging to big landowning families or families which have rendered meritorious service to the State.

The residential qualification is now worded as follows, "that he is a native of the United Provinces, or that he has definitely settled in the province; and that he has resided in the province for at least three years."

In 1886, when the first Public Service Commission was appointed, the Subordinate Judges and Munsifs who form the present Provincial Judicial Service belonged to the Uncovenanted Service, a term loosely used to cover the various public servants who filled judicial and executive appointments not reserved by statute for members

of the Indian Civil Service. At that time Subordinate Judges were appointed from the ranks of Munsifs on the recommendation, in the case of the North-Western Provinces, of the High Court and, in the case of Oudh, of the Judicial Commissioner. Candidates for the office of Munsifs in the North-Western Provinces had to be either (1) vakils of the High Court or persons who had qualified for admission as vakils or (2) Bachelors of Law of the Calcutta University who had practised for three years or (3) pleaders who had served in certain capacities for not less than three years. Similar rules, *mutatis mutandis*, prevailed in Oudh. The educational qualifications however of the persons so recruited were not very high, for out of a total of thirty-six Subordinate Judges and ninety-nine Munsifs (these figures include both substantive and officiating officers) only four Subordinate Judges and forty-six Munsifs had passed any of the ordinary examinations of an Indian University. Rules were made in 1893 on the Commission's recommendations. These rules first defined the Provincial Judicial Service and the subordinate service: the latter included the office of Munsarim from the highest grade downwards and all ministerial officers of the civil courts except the Registrar of the Judicial Commissioner's Court and the ministerial officers of the High Court. Admission to the Provincial Service could be either *(a)* by recruitment or *(b)* by promotion from the subordinate service. Nominations to the office of Munsif were made by the High Court under section 7, Act XII of 1887, while in Oudh the Local Government, in communication with the Judicial Commissioner, appointed persons. In making nominations, the Local Government and the High Court were to aim at securing the due representation of the different classes of the community and to give preference to natives of the province, graduates of an University and members of families of tried loyalty. The rules went on to mention that the Government of India reserved power in very special cases to sanction direct appointments in the higher grades of barristers, advocates and pleaders of the High Courts, who had shown distinguished ability in the exercise of their profession for not less than 10 years and had a thorough knowledge of the vernacular. This rule holds good to the present day.* Among the further conditions to be satisfied by each candidate for recruitment were :—

(1) that he is a native of India, or if a European other than a native of India that the previous sanction of the Government of India has been obtained to his appointment;
(2) that he has recently resided in the province for three years;
(3) that he is not under 20 or over 30;
(4) that he is *(a)* a pleader or advocate on the rolls of the High Court or the Court of the Judicial Commissioner, or *(b)* a Bachelor of Laws of the Allahabad University, or *(c)* prior to the 1st January 1892 had become a Bachelor of Laws of the Calcutta University, or *(d)* has practised for three years in a court subordinate to the High Court or that of the Judicial Commissioner, or *(e)* has for three years held the office of translator, reader or decree-writer in the High Court, or *(f)* for three years has held the office of Deputy Collector or District Government Pleader in this province.

Appointments by promotion to the post of Munsif were to be made from tahsildars, various subordinate officials of the High Court or the court of the Judicial Commissioner, Munsarims, and registrars of a Court of Small Causes, provided they held certain qualifications.

Munsifs on first appointment were placed on probation for one year, and if appointed in Oudh had to pass an examination. As regards promotion, the rules stated that "promotion to higher grade will ordinarily be regulated by seniority qualified by fitness and merit. Seniority however shall give no claim to any appointment on Rs. 500 *per mensem* or more." Munsifs in Oudh were further required to pass the higher standard examination in civil law before being promoted to the office of Subordinate Judge.

In 1886, when the Public Service Commission assembled, the rules in force as to the qualifications of Munsifs in the North-Western Provinces were made under section 6 of the Civil Courts Act, 1871. This Act was repealed by Act XII of 1887, section 7(2) of which makes it obligatory on the Local Government to consult the High Court before making rules. In addition the previous sanction of the Governor General used to be necessary, but on the recommendation of the Royal Commission on Decentralization the Government of India in 1910 withdrew the condition requiring their previous sanction, and laid down certain general principles on which detailed provincial rules should be based. The latest rules in this province were published with this Government's notification no. 73—II/861, dated the 10th January 1911, and are in close conformity with the principles laid down by the Government of India. These rules are practically identical with those published in 1893, except that the examinations for Munsifs in Oudh have been abolished for some years past. A statement showing the number of officers recruited each year under each system since its formation is attached.

The numbers recruited yearly under the various rules were as follows :—

A.—DEPUTY COLLECTORS.

Rules of July 1893.

Year.	From subordinate service.	Direct recruits.
1894	43*	6 †
1895	12	8 †
1896	5	8 †
1897	14	6 †

* Includes 22 subordinate officers who had been officiating Deputy Collectors and were confirmed in January 1894.

† Includes three nominees of colleges.

* It has been very rarely exercised. Mr. Muhammad Rafiq was appointed in 1892 before the rules of 1893 came into force. Kunwar Parmanand was appointed in 1899.

Rules of 1898.

Year.	From subordinate service.	Direct recruits.
1898	6	5 *
1899	8	3 *
1900	15	4 *
1901	8	3 †
1902	2	4 *
1903	53‡	6 *

* Includes 3 selected by competition.

† Two selected by competition.

‡ Includes 41 subordinate officers who had been officiating Deputy Collectors and were confirmed.

Rules of 1903.

1904	14	4
1905	13	6
1906	17	4
1907	26	7
1908	10	3

Rules of 1909.

1909	8	7
1910	7	10
1911	11	6
1912	9	14

B.—JUDICIAL SERVICE.

Year.	From subordinate service.	Direct recruits.
1893	*Nil.*	3
1894	*Nil.*	6
1895	1	2
1896	1	3
1897	1	7
1898	*Nil.*	3
1899	1	9
1900	*Nil.*	1
1901	1	4
1902	1	7
1903	3	3
1904	*Nil.*	5
1905	1	4
1906	*Nil.*	11
1907	1	8
1908	*Nil.*	6
1909	*Nil.*	7
1910	*Nil.*	8
1911	*Nil.*	7
1912	1	11

So far as can be discovered from the records in the Secretariat, only one natural-born subject of His Majesty, not a "Native of India," has been recruited. This was in 1909 when a European police inspector was promoted to be a Deputy Collector.

The methods of recruitment, as has been shown above, may be summarised as follows:—

(a) by promotion from the subordinate service;

(b) recruitment of outsiders: (1) by nomination, (2) by nomination and examination. Nomination also may be sub-divided into nomination by Government officials and nomination by non-official bodies, for example governing bodies and colleges as in 1893—1898.

The only change in the present system of recruitment which has been seriously advocated is the re-introduction of a system of competitive examination which was in force for the selection of some of the Deputy Collectors required from 1898—1903. The Lieutenant-Governor is not in favour of a revival of this system. An examination of the records of service maintained shows that during these years 18 men were selected in this way. One of these did not accept the appointment, and three are dead. Of the remaining 14, four have proved distinctly unsatisfactory—a high proportion. The others are satisfactory officers so far as judicial work is concerned, and a fair proportion are above the average in all respects; but the system, in spite of the precautions taken to secure satisfactory candidates and to check the results of examination by allowing marks for the physical and social qualifications of candidates and their family claims, cannot on the whole be said to have been an improvement on the system of direct selection, and it certainly failed to secure a due representation of the different sections of the community. The records given above of the different methods employed for recruitment show that there has been a tendency to check the promotion of men from the ministerial grades, and in His Honour's opinion this movement has been fully justified. The present system of appointing men to the Provincial Executive Service has been evolved from the experience of many years, and the Lieutenant-Governor has no proposals to make for altering the system. He will endeavour to secure, in his direct selections, a larger number of men on their College and University record.

Since the first set of rules governing the recruitment of the Provincial Service was published in 1893, there has always been a residential qualification which has prevented the employment of non-residents. In the case of the Executive branch the rule has gradually increased in strictness. In 1893 the wording was "that he has resided in the province for at least three years," but in 1903 to this were added the words "and is a graduate of the Allahabad University." In 1910 the rule was made still stricter, and in addition to insisting on an Allahabad University degree the rule for the last 3 years has been "that he is a native of the United Provinces or that he has definitely settled in this province; and that he has resided in the province for at least three years." The cadre of Deputy Collectors includes only 11 men whose homes are not in the United Provinces. Two of these belong to Rajputana, two to Central India and seven to the Punjab. Nearly every one must have satisfied the residential test. Moreover, ever since 1893, except for a period of a few years, a further bar to the recruitment of outsiders has been a rule insisting on a thorough knowledge of the vernacular of the province. In the Judicial branch the residential rule has not been so strictly worded, but ever since 1893 the rules have insisted on recent residence in the United Provinces for at least three years and have given preference to "natives of, and persons domiciled in, the United Provinces," and there has been the same proviso as in the Executive branch that a candidate must have a thorough knowledge of the vernacular.

The Lieutenant-Governor fully approves the principle that only residents of the province should ordinarily be recruited, and the only exception to this rule that he has agreed to consider is the case of those students of the Mayo College who have relatives in the United Provinces or who belong to Native States which employ United Provinces officers.

The question what is the due representation of all classes and communities does not admit of an exact answer. The question most discussed in this province is the proportion of appointments given to Hindus and Muhammadans.

No fixed proportion is laid down by the rules at present for either the Executive Service or the Judicial Service. It was formerly a practice that the proportion of Hindu and Muhammadan Deputy Collectors appointed should be as 5 is to 3, but no such proportion is laid down at present. Where qualifications and claims are fairly evenly balanced the appointment of one or two men may be made on a consideration of the proportions existing between men regarding whose selection there is no doubt. The actual figures at present are as follows :—

EXECUTIVE BRANCH.

Hindus	...	134 or 50·9	per cent.
Muhammadans	...	105 „ 39·9	„
Christians	...	24 „ 9	„

JUDICIAL BRANCH.

Hindus	...	115 or 75	per cent.
Muhammadans	...	36 „ 23·5	„
Christians	...	2 „ 1·3	„

In the existing conditions of social customs and education in this province it is impossible that all classes of society should be represented in the service. Education is at present practically confined to one-fourth of the Hindu population numbering about 10 millions out of a total of 40 million Hindus. In both branches of the service the greater portion of the posts held by Hindus are occupied by Brahmans and Kayasthas as is shown by the following analysis, the percentages being calculated on the total number of Hindus in the branch concerned :—

EXECUTIVE BRANCH.

Brahmans	...	43 or 32·1	per cent.
Kayasthas	...	39 „ 29·2	„
Kshattriyas	...	19 „ 14·2	„
Khattris	...	6 „ 4·5	„
Vaishyas	...	23 „ 17·1	„
Jats	...	3 „ 2·2	„
Others	...	1 „ ·7	„

JUDICIAL BRANCH.

Brahmans	...	42 or 36·5	per cent.
Kayasthas	...	45 „ 39·1	„
Kshattriyas	...	3 „ 2·6	„
Khattris	...	7 „ 6·1	„
Vaishyas	...	18 „ 15·7	„

The castes mentioned number only 10 million out of a total of 40 million Hindus.

The only case in which a definite proportion is laid down is in the case of recruitment of Europeans and Anglo-Indians for whom two places are reserved out of 19 selections made every year for the post of Deputy Collector. It happens not infrequently that 2 men with sufficiently good qualifications cannot be found, and in such cases the appointment goes to an Indian. As has been noted above, the appointments made under this rule are almost invariably of persons domiciled in India.

SYSTEMS OF TRAINING AND PROBATION.

Questions 9 *and* 10.

44658. The system of training probationary Deputy Collectors is based on that for the training of young civilians, but is not so elaborate. Paragraphs 118 and 121 of the Manual of Government Orders (copies of which are attached) give details. It has been suggested that the system is not satisfactory, as the District Officer has not sufficient time to train the probationers. A training college has been suggested. The Lieutenant-Governor is not disposed to accept the criticism, or the proposal to establish a training college. The average probationer is of an age at which more schooling is unnecessary. The best training for young men of this age is a practical one. In the case of probationers, promoted from the subordinate service, the principal need is practice in judicial work. As the rules show, their judicial work is constantly supervised by the District Officer and comes before him in appeal. In the case of the Judicial branch some previous training is ensured by the fact that recruits must have practised for three years at the Bar. According to the Civil List for 1st January 1913 of the 24 Munsifs in the Province of Agra in the lowest grade (including men holding sub. *pro tem.* appointments) all but 4 had a University degree or were barristers, and 13 of the 24 had obtained the degree of LL.B. In Oudh out of 15 officers in the 3rd grade only one was without a degree and 10 of the 15 had the degree of LL.B. As has been explained above, no period of probation is prescribed for officers of the Provincial Judicial Service. But in practice the same result has been obtained by the fact that men have to officiate for a considerable period before receiving permanent appointments. A probationary grade is now being formed.

Extract from Manual of Government Orders regarding training of Deputy Collectors.

118. Probationary Deputy Collectors other than those appointed from the subordinate service will be placed under training for one year. On first appointment they will be attached to districts for the purpose of making themselves acquainted, under the supervision of Sub-Divisional Officers, with the various departments of work with which a Deputy Collector has to deal. They will examine patwaris' papers, will make such local inquiries as can be entrusted to them, will be given an opportunity to study the working of a tahsil and be initiated generally into district work. If possible, they will be attached for a time to a Deputy Collector employed on the revision of records. For the rest of the year they will be kept at head-quarters, where they will learn judicial work under the guidance of the District Officer, who should closely supervise their proceedings. The District Officer is responsible that they are properly trained in all branches of their work. After the departmental examination in October they will attend a training class for instruction in revenue work.

121. The period during which a probationary Deputy Collector appointed by recruitment will remain on probation is fixed for two years. That period will embrace two April and two October examinations. A probationer promoted from the subordinate service will be confirmed upon completely passing his departmental examination, or so soon thereafter as a vacancy occurs.

No departmental examination is now prescribed in the Provincial Judicial Service, but in practice, as shown above, a considerable proportion of the officers appointed have a degree in law, and every candidate must have at least qualified for admission as a pleader or vakil. The existing system of departmental examinations for Deputy Collectors appears suitable. The standard is practically the same as that for junior officers of the Indian Civil Service, with the exception

that civil law is prescribed only in the case of Deputy Collectors posted to the Kumaun division, where their duties include the trying of civil suits. The scheme is satisfactory and no changes are advocated.

CONDITIONS OF SERVICE.

Questions (11—21).

44659. The Lieutenant-Governor has no changes to suggest in the class of offices and appointments at present included in the Provincial Civil Service. So far as the Executive Service is concerned, it has sometimes been suggested that the subordinate revenue service of tahsildars and naib tahsildars should be considered as part of the same service, but the Lieutenant-Governor has no hesitation in expressing the opinion that the latter class of officers should be considered a separate cadre and that promotions to the rank of Deputy Collectors should be confined to exceptional men carefully selected.

The principles that have been accepted as regards the service of Deputy Collectors are these:—

(i) that exclusive of a certain number of sub-divisional posts, at present taken as 33, for which Indian Civil Service officers are available, all expansions in the general administration work of districts should be met by an increase in the number of Deputy Collectors;

(ii) that the Provincial Service must be self-contained, that is the cadre must provide not only for leave vacancies but also for all work for which Deputy Collectors are usually required, for instance, court of wards, settlement and land acquisition work; and

(iii) that when the number of the members of the Indian Civil Service (statutory civilians not being included) available for duty as Sub-Divisional Officers (including the City Magistrate of Lucknow) is less than 33, temporary Deputy Collectors on Rs. 250 a month may be appointed by the Local Government for a specified period under article 78, Civil Service Regulations.

To fix the strength of the Provincial Executive Service the system therefore is first to count up the exact number of inferior charges in the province concerned, including the number of deputation charges shown by experience ordinarily to be necessary, and from the figure thus arrived at to deduct the number of posts to fill which junior members of the Indian Civil Service of theoretically from 2 to 8 years' completed service are available. The balance is the number of appointments to be arranged for in the Provincial Civil Service, and to this is added a leave reserve equivalent to 14 per cent.

A similar system exists in the case of the Judicial branch, with this difference, that the number of charges corresponds with the number of officers needed to dispose of the current work of the courts and no deduction is made on account of junior Indian Civil Service officers. Also hitherto no allowance has been made for a leave reserve, the practice having been to supply leave vacancies by employing pleaders as temporary Munsifs. This system has not tended to the smooth working of the judicial machine, and sanction has therefore recently been obtained from the Secretary of State to the establishment of a grade of probationary Munsifs in order to supply the necessary leave reserve. The number of charges in both branches of the service has recently been re-calculated. In the case of the Executive branch the number of charges was fixed on consideration of a report by an officer on special duty, who made enquiries in every district, and collected statistics of the case work and miscellaneous work falling to these officers. For the Judicial branch an enquiry was made by three judicial officers on similar lines. The proposals were checked by the Board of Revenue in the case of executive posts, and by the High Court and Judicial Commissioner in the case of the Judicial branch. The Lieutenant-Governor does not recommend any alteration in the present systems of fixing the strength of the two services.

The leave reserve for the cadre of Deputy Collectors is 14 per cent. on the total strength. The following table shows the percentage of officers taking leave including both furlough and privilege leave during the last 10 years:—

1903	.. 10 per cent.		1908	.. 7·4 per cent.	
1904	.. 9·4	„	1909	.. 11·7	„
1905	.. 10·2	„	1910	.. 9·4	„
1906	.. 7·2	„	1911	.. 8·2	„
1907	.. 8·6	„	1912	.. 9·8	„

The proportion is below the average in 1908 when famine conditions prevailed, and in 1909, when pressure was relieved, rose to a higher figure than usual. But these figures have been calculated from the quarterly Civil Lists which do not show cases of leave beginning and ending within a quarter. Moreover, Deputy Collectors are used to fill vacancies in the inferior posts held by Indian Civil Service officers which are numerous in the hot weather. The figures also show the proportion for the whole year and not the number of officers on leave at the season when the number is highest. The whole question of leave rules is now under consideration, and it would be premature to suggest any alteration in the reserve until changes are made and some experience has been obtained of the extent to which the changes affect conditions.

In the Judicial branch this Government asked for a leave reserve of 14 per cent. to be included in the cadre recently sanctioned. The proportion allowed has however been fixed at 9 per cent. Privilege leave is not usually taken by Provincial Judicial officers, since these officers enjoy a vacation every year and cannot take privilege leave except on half pay. The proportion for the whole year during the last 10 years works out as follows:—

1903	.. 5·1 per cent.		1908	.. 2·4 per cent.	
1904	.. 2·2	„	1909	.. 2·4	„
1905	.. 5·1	„	1910	.. 2·6	„
1906	.. 9·6	„	1911	.. 2	„
1907	.. 5·4	„	1912	.. 1·8	„

These figures must, however, be considered with the same qualifications as those shown above for Deputy Collectors. It seems possible that the allowance of 9 per cent. will have to be increased, but this is not certain, and further experience of the new cadre now being introduced must be awaited.

As already explained, there is in the Provincial Executive Service a grade of probationary Deputy Collectors, equal in number to that of two

years' recruits. This number is adequate. In the Provincial Judicial Service there is no reserve for officers under training distinct from the leave reserve, which is to be composed of probationary Munsifs. As this branch of the Service is recruited almost entirely from practising lawyers, there is no necessity for a training reserve in addition to the probationary grade.

The annual rate of recruitment in the Executive branch is fixed from time to time in accordance with the actual decremental rate, and the vacancies in the service are filled from the probationary Deputy Collectors. In 1900 the Government of India laid down the principle that the number of probationers should not exceed the normal number of two years' recruits, and in accordance with that principle Sir Antony (now Lord) MacDonnell decided that an average of 15 probationers a year might be taken as fairly giving the requirements of this province. This meant an annual recruitment at the rate of about 8 per cent. on the total strength of the service and was considered by the Government of India to be excessive, considering that the normal rate of recruitment for the Indian Civil Service was (then) only 4·31 per cent. of the total strength. Having regard to the fact that not less than two-thirds of the appointments in the United Provinces Provincial Executive Service were at that time made by promotion of officers from the subordinate service who were men of comparatively advanced age, the Government of India in 1902 accepted the view that the rate should be higher than in the Indian Civil Service, but laid it down that the rate of recruitment should not exceed 6 per cent. for the next 5 years, at the end of which period the matter could be reconsidered. In accordance with these directions the proposals of this Government were revised, and a probationary grade of 25, to be filled by 12 and 13 probationers recruited in alternate years, was established. The result of 5 years' experience fully justified the decrement rate proposed by Sir Antony MacDonnell; for in 1908 it was found that the total decrement in the past 5 years had been 77 or 8·9 per cent. Sir John Hewett, after full consideration, recommended that the future decrement rate should be fixed at 8·5 per cent., but at the same time proposed that the previous proportion of 2 to 1 in the recruitment of Deputy Collectors from the subordinate service and from outsiders respectively should be altered to an even proportion and that, while an average of two years' probation should be allowed for direct recruits, the probationary period for promoted recruits should be placed at an average of one year. At this rate the number of probationers would be 28 or 29. This decrement rate of 8·5 and the proposed number of 28 probationers were accepted in 1908 by the Government of India, with the proviso that the rate should be subject to reconsideration after 5 years, since the change in the ratio of promoted officers might affect the decremental rate. The rate will therefore be reconsidered during the present year. The casualties during the last 5 years (1908—1912) give a yearly average of 15·2 or a little less than 7 per cent., which is considerably short of the 8·5 decrement rate. Two factors have contributed to cause this decrease. The change from two-thirds to one-half in the proportionate number of appointments reserved for men promoted from the subordinate services tends to reduce the number of casualties, though this change has not yet had its full effect. But owing to the insufficiency of the existing cadre extensions of service beyond the age of 55 years have been given freely, and this cause has been of more importance. The resultant excess in recruitment will be more than counterbalanced by the large increase in the cadre which has recently been sanctioned by the Secretary of State and which is to be gradually introduced in five stages. When the cadre has been raised to the contemplated strength of 278, it may be necessary (to judge from the last 5 years) to alter the decremental rate. The annual rate of recruitment has on the whole worked satisfactorily. There have been some complaints about the slowness of promotion, but as shown above there have been special reasons for this. A quinquennial examination of the rate will probably suffice to correct it in sufficient time to prevent a serious block.

In the Judicial branch of the Provincial Service there has been no fixed rate of recruitment. As vacancies occur, they have been filled by the appointment of legal practitioners or (occasionally) officials from the subordinate service. In future this system will be partially modified, as the Secretary of State has sanctioned 14 probationers as a leave reserve. These men will obtain permanent appointments as they fall vacant, and legal practitioners will be recruited to fill the vacancies in the probationary grade.

As regards the question of promotion under this system, it at present takes 4 to 5 years for a Munsif to reach the Rs. 300 grade and about 3 more years to reach the Rs. 400 grade. The most junior Subordinate Judge (on Rs. 500) was first appointed to the Provincial Service in 1899, and the junior men of the next two grades (Rs. 650 and Rs. 800) were first appointed in 1892 and 1889 respectively.

The rule of promotion in the Executive branch is that promotions up to the 5th (Rs. 400) grade of Deputy Collectors are ordinarily given by seniority. Promotions to the 4th grade and higher grades are awarded strictly by selection. This rule is rigidly enforced, and the Lieutenant-Governor sees no reason to alter it.

In the Judicial branch the rule runs as follows: "Save in the case of appointments to higher offices made under the rules framed under 33 Victoria, chapter 3, section 6, promotion from one grade or class of office included in the United Provinces Provincial Civil Service to a higher will ordinarily be regulated by seniority, qualified by fitness and merit. Seniority however shall give no claim to any appointment on Rs. 500 per mensem or more."

This rule likewise appears to His Honour just and proper, and he has no alterations to suggest. Grade promotions in the Executive branch are made by the Lieutenant-Governor. The High Court and the Judicial Commissioner of Oudh have been empowered to make grade promotions and grade reversions of Munsifs and Subordinate Judges except in the case of promotion from the second to the highest grade of Subordinate Judges.

When any order passed by the High Court or the Judicial Commissioner for promotion or reversion among Munsifs and Subordinate Judges adversely affects the position of an officer in service it is appealable to the Local Government; subject to the revisional powers of the Government of India, the order of the Local Government is final.

The question of selecting officers of the Executive Service for higher appointments is dealt with in the answers relating to the Indian Civil Service so far as the listed posts are concerned. In the case of the higher grades of the Service, which are filled by selection, no change appears necessary. The Lieutenant-Governor does not think it desirable to introduce a scheme of compulsory retirement of inefficient officers. In the case of Deputy Collectors promoted from the subordinate service the power exists of reverting them and is exercised when necessary. The system of selecting outsiders as probationary Deputy Collectors is generally sufficient to exclude absolutely inefficient officers. Where a further opportunity occurs of removing them during the period of probation, this power is also used. In the case of an officer who subsequently shows faulty development and defects which may be attributed to laziness, the power of stopping promotion is generally effective, and a man can be kept in a grade, the pay of which is a sufficient remuneration for Services which are not altogether satisfactory. Direct misconduct can always be punished by dismissal from the Service.

In the Judicial branch the conditions of appointment ensure a minimum degree of ability and the Lieutenant-Governor is satisfied that inefficiency will be followed by stoppage of promotion.

In the case of the Judicial branch of the Service no executive functions, except those connected with the management of offices, are exercised. In the so-called Executive branch Deputy Collectors serving in Kumaun try civil cases in addition to revenue and criminal cases. In all parts of the province Deputy Collectors have executive functions in connection with the collection of land revenue. They have however no connection with the police, with the exception that they inspect police stations within their sub-divisions. The Lieutenant-Governor is not aware that the combination of executive and judicial powers in the hands of Deputy Collectors leads to abuse, and he is strongly of opinion that the separation of such powers would be inexpedient. He is not prepared to recommend any scheme in which the Deputy Collectors in a district should be divided into two classes, one of which should have no duties except to try cases and would be directly subordinate to the District and Sessions Judge. Such a scheme would tend to waste and would mean an unnecessary increase in the number of officers.

District Judges are not in a position to tour in districts. A valuable check is afforded over the working of sub-divisional officers not only in executive functions but also in their judicial work by the knowledge that the District Magistrate travels in every part of the district.

The changes suggested in the method of appointing members of the Provincial Civil Service to fill posts ordinarily held by members of the Indian Civil Service have been described in the answers relating to the latter service. The Lieutenant-Governor is strongly of opinion that officers of the Executive branch should be selected at an earlier stage of their career than at present for transfer to the Indian Civil Service cadre. The defect in the present scheme is that officers are promoted directly to the substantive charge of a district which they attain at too advanced an age. Moreover, they have not had the necessary training which can best be afforded by officiating in the first place for comparatively short periods. That experience is difficult to gain unless the officers are marked out from a comparatively early stage of their careers.

The Lieutenant-Governor does not accept the suggestion which has been made that a considerable portion of the District and Sessions Judgeships, which are to be filled by Indians, should be set aside for appointment from the Bar. Such a scheme would act most injuriously on the Provincial Judicial Service and would affect recruiting to that service adversely. There is moreover no reasonable expectation that the recruits so obtained would be better than the men recruited under the present scheme. The Lieutenant-Governor has suggested that eight posts should continue to be listed for officers in the Provincial Judicial Service, as it is essential to offer a career with sufficient attractions to this service. The objection on the score of age which exists in the case of the Executive branch does not apply with the same force to the Judicial Service. On the other hand, the Lieutenant-Governor would not recruit for the Indian Civil Service from the ranks of the Judicial Service as the latter are not likely to supply as good material for recruiting to the lower grades of the Indian Civil Service as officers of the Executive Service. In applying for admission to the Judicial Service they have shown that their tastes lie in a different direction.

The system of merging the inferior listed posts in the Provincial Civil Service has not been satisfactory so far as the posts of Joint Magistrates and Assistant Collectors are concerned. Reasons for this have been sufficiently detailed.

The Lieutenant-Governor is aware that the designation "Provincial Civil Service" is not altogether acceptable to the members of that service. The reason is largely sentimental; and a distinction must be made between this service and the higher grades of public service in India owing to the different methods of recruitment, the different duties to be performed, and the different scales of pay attached to the posts. When the last Royal Commission sat, nearly 30 years ago, similar objections were made to the term "Uncovenanted Service" then in vogue. In paragraph 75 of their report the Commission suggested "that the service to be locally recruited should be called the Provincial Civil Service, This term possesses the advantage of avoiding the invidious distinction complained of in the use of the term 'Uncovenanted,' while at the same time it marks the distinction which exists in

regard to the field of recruitment of the two Services." An alternative would be to abolish the use of a generic term at all and to describe officers according to the posts they hold as "Munsifs," "Deputy Collectors" or as the case may be. The Lieutenant-Governor would see no objection to a change of this nature so long as it is clearly understood how appointments are to be made and what classes are eligible for promotion. He does not see however that there is anything undignified or derogatory in the present designation of the service.

CONDITIONS OF SALARY.

Questions (22—30).

44660. The principle recommended by the Public Service Commission of 1886-7, that the conditions of the Provincial Civil Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed appears satisfactory. The Lieutenant-Governor has not seen any more reasonable method of fixing the pay suggested.

The last general re-organization of the Provincial Services, Executive and Judicial, has only recently been sanctioned by the Secretary of State. The two schemes involve an ultimate addition to the expenditure of the province estimated at Rs. 6,67,154 and are to be introduced gradually as the finances of the province may permit. The Lieutenant-Governor is of opinion that the regrading of the Deputy Collectors will now be sufficient. The revised cadres, as they will stand when the re-organization schemes have been brought into full effect, have already been shown above. A further important concession to the Provincial Judicial Service forms part of the scheme, namely, the increase from 5 to 8 in the number of listed District and Sessions Judgeships.

The tables required are appended.*

There has been considerable dissatisfaction in both branches of the Service with the existing rates of pay and grading. The Lieutenant-Governor considers that the scales recently sanctioned are adequate and are not excessive, though in giving sanction the Secretary of State described the re-grading of Deputy Collectors as based on a somewhat lofty standard which seems hardly to be attained in any province. Suggestions have been made that a further increase should be made, especially in the lower grades, but the Lieutenant-Governor thinks this unnecessary. In actual fact, there has been no difficulty in getting satisfactory candidates for either branch of the Provincial Service. The Lieutenant-Governor understands that a salary of £200 a year, the exact equivalent of Rs. 250 a month, is the maximum initial salary allowed to picked graduates of Oxford and Cambridge who obtain admission to the superior branch of the Home Civil Service. The Lieutenant-Governor thinks that the existing starting pay is sufficient.

The justification of the differential treatment of the Indian Civil Service and the Provincial Civil Service in the matter of officiating promotion is clearly set forth in the attached reply given last year by the Home Member in the Imperial Council. The Lieutenant-Governor can see no reason or justification for extending this system to the Provincial Service:—

"The reason for the differential treatment of the Provincial Services on the one hand and for instance, the Indian Civil Service, to which it is understood the Honourable Member refers, on the other, is that the latter was originally organized on a system of substantive promotion in furlough vacancies. In 1868 this procedure was changed and an officer proceeding on furlough retained a lien on his grade appointment. As a partial compensation to his *locum tenens* for the loss of substantive promotion, what is known as an officiating allowance was given to him, and this is doubtless the 'temporary promotion' referred to. These considerations never applied to the case of the Provincial Services to which the system of officiating promotions has not been extended. In view of the origin of the existing difference, as explained, it is not considered necessary to introduce a uniform treatment of these services in this respect."

As stated in the answers connected with the Indian Civil Service, the Lieutenant-Governor is opposed to a time-scale on general principles. The Executive and Judicial branches of the Provincial Civil Service are sufficiently large to prevent undue stagnation in promotion and the Lieutenant-Governor would not desire to see a time-scale introduced in them.

It has been stated in the answers regarding the Indian Civil Service that the Lieutenant-Governor would favour an increase in the salary at present drawn by officers of the Provincial Service holding listed posts. He would raise their emoluments approximately to ¾ths of the pay at present drawn by members of the Indian Civil Service.

CONDITIONS OF LEAVE.

Questions (31—39).

44661. Statistics of the different kinds of leave taken during the last four quinquennia 1893—1897, 1898—1902, 1903—1907, and 1908—1912, which are appended,† do not reveal any very remarkable variations, if temporary variations

† AVERAGE PERCENTAGE OF MEN ON LEAVE.

A.—Executive branch.

Period.	Privilege leave.	Furlough.	Medical leave.	Private affairs	Extraordinary leave.
1893—1897..	8·6 %	1·1 %	·76 %	·04 %	·54 %
1898—1902..	4·9 „	1·4 „	1·28 „	·28 „	·46 „
1903—1907..	8 „	3·2 „	1·56 „	·09 „	·2 „
1908—1912..	4·1 „	1·98„	2·76 „	·24 „	·1 „

B.—Judicial branch.

1893—1897..	2·1 %	·7 %	·6 %	·04 %	·02 %
1898—1902..	1·6 „	1·4 „	·8 „	·16 „	·06 „
1903—1907..	1·0 „	2·88„	1·4 „	·04 „	Nil.
1908–1912..	·9 „	·7 „	·8 „	·02 „	·02 „

* Vide pages 217 and 218.

due to the famines of 1896-7 and 1907-8 be disregarded. The leave rules introduced in 1901, which allowed the combination of furlough with other kinds of leave, are apparently responsible for a slight increase of furloughs in the period 1903—1907 and for a slight decrease in privilege leave by itself. The fall in the average number of furloughs in the Executive branch during the last quinquennium has been largely due to the policy of promoting from the subordinate service, in place of senior men, young graduates who had spent only a very few years in the subordinate ranks and were therefore not entitled to furlough for some years to come, and also to the policy of taking a larger proportion of direct recruits who have to serve 10 years to earn their first furlough. Leave on private affairs and extraordinary leave have throughout the last 20 years been very rarely taken, and the variations in the number of leaves of these kinds have been very small. In the Executive branch there has been a small but steady rise in the number of medical leaves, due probably to the steadily increasing pressure of work. The decrease in the amount of privilege leave taken by members of the Judicial branch is due to the fact that in June 1901 the Government of India sanctioned a vacation for the Oudh Service (Subordinate Judges). Privilege leave from that date could be obtained only on half pay and has therefore been taken more rarely.

The Judicial branch of the Provincial Civil Service receives an annual vacation and is therefore not allowed privilege leave on full pay.

In the last three years (1910—12) about 16 per cent. of the officers in the Executive branch (excluding officers on deputation, probationers, and officers with less than three years' service) have taken no privilege leave or furlough and are at present losing leave on full pay, since only three months' privilege leave can be accumulated. One reason for this comparatively large percentage is that in recent years owing to the inadequacy of the staff it has been necessary at times to refuse privilege leave during the hot weather when the demand for leave is highest. Another reason is that owing to the inadequacy of the cadre the absence of an officer on more than six weeks' privilege leave usually necessitates the transfer of an officer from another station to take his place. An officer going on longer leave is thus exposed to the possibility of transfer, and officers who are in a popular station or who for any other reason, such as expense, desire to avoid transfer, refrain from taking leave. There is no doubt that the amount of leave on full pay which can be earned is sufficiently liberal, and having regard to possible necessities it seems unnecessary to reduce it.

A list has been prepared showing the amount of furlough due to officers of the Provincial Civil Service. From this it appears that it is most exceptional for an officer to take all the furlough due to him. A few officers take the furlough due to them immediately before retiring. The Lieutenant-Governor understands however that the members of the Service lay great stress on having the amount admissible under Article 338, Civil Service Regulations, (2 years) available in case of need. As stated in the replies regarding the Indian Civil Service the whole question of leave is now under the consideration of Government and a final reply cannot be given.

It appears to be generally admitted that officers of the Provincial Civil Service rarely take furlough except on account of ill-health; first, because they are already in their native land; and, secondly, because they do not wish to lose full pay. The Lieutenant-Governor considers that the ordinary rule of half salary on furlough is a fair one. To officers serving in their native country the rules for privilege leave afford sufficient opportunity for rest and change. In case of ill-health the provision of furlough and leave on medical certificate seems sufficient and no change in the rates is suggested.

In the opinion of the Lieutenant-Governor the maximum and minimum limits of leave allowance at present fixed are suitable. A Provincial Service officer, unless holding a listed post, draws half his average pay or, in certain cases, half his actual pay without any maximum limit (*vide* Article 340, Civil Service Regulations), as the highest pay (in the Judicial branch) is Rs. 1,000 *per mensem*. No complaints have reached Government in regard to the limits.

As in the case of the Indian Civil Service, the Lieutenant-Governor would be disposed to allow the grant of privilege leave in excess of three months in cases where leave has been refused when three months' privilege leave was due. He is not yet in a position to give a definite opinion regarding other changes in the rules.

Article 197, Civil Service Regulations, gives the Government free discretion to refuse or revoke leave of absence of any description at any time according to the exigencies of the public service. It cannot therefore be said that the leave rules in themselves cause inconvenience to the Administration, as any difficulty experienced in filling vacancies, which would result from the grant of leave to officers entitled under any of the various rules to leave of absence, can be avoided by the exercise of the power given to the Government by that article. In practice, however, in recent years the difficulty of filling vacancies has caused considerable inconvenience to the Administration, but this has been due not to the leave rules but to the inadequacy of the cadre, especially in the Executive branch, which has occasionally placed the Government in the undesirable position of having to choose between refusing leave or allowing work to be unduly delayed. With an adequate cadre such as this province will shortly obtain in consequence of the revised scheme sanctioned by the Secretary of State, the Administration ought to experience no real inconvenience from the leave rules.

The grant of leave is no doubt a contributory cause of transfers, especially if the cadre is under-manned, in which case the work of an officer going on privilege leave cannot be divided among the remaining officers in his district, but has to be taken over by an officer transferred specially for this purpose from elsewhere. The return of the officer from leave involves either his own transfer or the transfer of the officer who has been sent in his place, and this may in turn involve further transfers. In fact with an under-manned service the number

of transfers owing to this cause would undoubtedly be excessive, were it not that the fear of a transfer (which under the present travelling allowance rules involves for members of both the Indian Civil Service and the Provincial Civil Service heavy pecuniary loss) frequently deters officers from asking for privilege leave. Furlough vacancies must of course always involve transfers or the posting of an officer on return from leave, but with an adequate cadre it should be possible to assign to many districts a sufficiently strong staff to enable officers to take privilege leave in turn without, as a rule, any substitute being transferred from another district. Officers can then take all the privilege leave due to them without fear of a transfer, and the Administration is not harried with the continual problem of how to dispose its limited resources to the best advantage. In a few districts where the staff is small it is not possible to post an extra man, as the leave reserve is 14 per cent. of the total and a reserve Deputy Collector can theoretically be posted only where the staff consists of exactly seven men. Similarly, in districts where the staff exceeds seven, difficulty will sometimes be felt. The way to reduce the number of transfers in the Executive branch is not to diminish the leave admissible under the present rules, but to give each district a sufficiently strong staff to cope with the extra work caused by the absence of any particular officer on privilege leave. In the Judicial branch the annual vacation guarantees a month's holiday to every officer, and privilege leave (which carries only half, not full, pay) is consequently very seldom taken. In furlough vacancies transfers will practically always be necessary, but as furlough is very rarely taken by members of either branch of the Service, except on medical grounds, it is impossible to reduce appreciably the number of transfers consequent on the grant of furlough.

CONDITIONS OF PENSION.

Questions (40—45).

44662. Suggestions have been made that the maximum pension admissible to members of the Provincial Civil Service should be raised from Rs. 5,000 to Rs. 6,000, *i.e.*, from £333 to £400. It appears probable that the comparison is to some extent based on the pension admissible to officers of the Indian Civil Service, but there appears to be a general ignorance of the fact that an Indian Civil Service officer contributes a fixed proportion of his salary which on the average amounts to half the pension drawn by him. Another suggestion made is that Provincial Service officers should be allowed to retire on the full pension admissible by Article 474, Civil Service Regulations, after 25 years' service. At present an officer gets the full pension after 25 years' service only if he has a medical certificate [article 441 read with Article 474*(b)*, Civil Service Regulations], or when he has reached the age of 55 (Article 464, Civil Service Regulations). Otherwise he can retire voluntarily on full pension only after 30 years' service (article 465, Civil Service Regulations). The Lieutenant-Governor is not disposed to accept either proposal.

As has been stated above, the Lieutenant-Governor does not desire the power to order compulsory retirement on reduced pension. The practical effect is obtained by denying promotion to an officer until he shows himself fit for promotion. The position of officers in the Provincial Service does not entail the same amount of independence and initiative as is required from officers in the Indian Civil Service. The remuneration of an officer of the Provincial Service who is comparatively inefficient is not very disproportionate having regard to the nature of the duties on which he can be employed. The extreme step of removal from service requires definite charges, and in the case of incompetence on the part of an officer of the Provincial Civil Service, the formulation of these, though a matter of some difficulty, can always be insisted on.

The question of pension earned by officers of the Provincial Civil Service holding listed posts has been discussed in replying to the question on the Indian Civil Service.

Under Article 464, Civil Service Regulations, an officer may at his option retire on reaching the age of 55, while under Article 459, Civil Service Regulations, Government may either require an officer to retire at that age or give him extensions from year to year, ordinarily up to the age of 60. But it is laid down that this rule is to be worked with discretion in order to avoid depriving the State of the valuable experience of really efficient officers, and adding unnecessarily to the non-effective charges. The existing rules appear reasonable, and duly elastic. Though they are not intended for the purpose, they afford an unobjectionable manner of regulating promotion when a cadre is insufficient or is unduly blocked.

Out of a total staff of 409 officers (including probationers) in both branches of the Provincial Service, 207 or about 51 per cent. are insured in Government funds. One hundred and fifty-four officers subscribe to the Government General Provident Fund, fifty to the Postal Insurance Fund, and three to the old Uncovenanted Service Family Pension Fund.

The Lieutenant-Governor believes that the first named fund, which was started only in 1909, is generally popular with the Provincial Service and affords all reasonable facilities. It has been suggested that the restrictions on the withdrawal of deposits might be altered so as to make it easier for depositors to obtain temporary advances, but His Honour is strongly of opinion that further facilities in this direction would be contrary to the intention of the rules. It has also been suggested to him that the maximum insurance that can be effected in the Postal Insurance Fund should be raised beyond the present limit of Rs. 4,000; he would not object to this if there is no departmental difficulty.

ANNEXURE REFERRED TO IN PRECEDING NOTE IN REFERENCE TO QUESTION (2).

Rules governing the appointment of Deputy Collectors in the United Provinces.

The United Provinces Provincial Civil Service, in the revenue branch, consists of probationary Deputy Collectors, and Deputy Collectors of all grades. Tahsildars belong to the subordinate Revenue service.

The following rules and instructions regulate the appointment of Deputy Collectors whether by promotion from the subordinate service, or by recruitment of persons not already in Government service.

METHODS OF APPOINTMENT.

A.—By promotion from the subordinate services.

1.—It is estimated that 19 appointments in all on an average can be made annually on the cadre of Deputy Collectors, and 19 probationers can be appointed in place of the men appointed to the cadre. One-half* of the total number of appointments as probationers will be made annually by promotion from the subordinate services. In making appointments under this rule the Lieutenant-Governor is prepared to receive nominations from the Board of Revenue.

2.—The total number of appointments by promotion will not ordinarily exceed ten and nine in alternate years. The Board shall recommend nominees, who shall as a rule be tahsildars, and shall in no case be other than Executive officials, though not necessarily of the revenue branch.

3.—The age of an officer nominated under the preceding rules should not ordinarily exceed 45 years. Nominations should be made on the 1st September.

B.—By recruitment of persons not already in Government service.

4.—Nine and ten probationary Deputy Collectorships will be filled in alternate years by the appointments of persons selected ordinarily in the following manner.

5.—The appointments will ordinarily be distributed thus between four classes of candidates, *viz.*, (*a*) graduates possessing all the qualifications set out in rule 6; (*b*) graduates possessing the first seven of the qualifications set out in rule 6, who are members of a family that has done good service to the State; (*c*) graduates possessing the first seven qualifications set out in rule 6; (*d*) Europeans and Eurasians who are graduates of the Allahabad University, or failing such graduates other suitable candidates from European schools possessing the 1st, 3rd, 4th, 5th, and 7th of the qualifications set out in rule 6.

The Government reserves to itself the power to distribute the appointments available each year among the different classes in the manner that appears to it to be desirable, but ordinarily at least three appointments will be made under (*a*) and probably two each under (*b*), (*c*), and (*d*), provided that sufficient duly qualified candidates are available in each of these classes.

6.—The qualifications are—

(1) that the nominee is a natural-born subject of His Majesty, or of a Native prince in alliance with His Majesty;

(2) (*a*) that he is a Native of the United Provinces, or that he has definitely settled in the province; and that he has resided in the province for at least three years;

(*b*) that he is a graduate of the Allahabad University;

NOTE.—Europeans not coming within the statutory definition of "Natives of India" (33 Vic., c. 3, section 6) may, if otherwise eligible under these rules, and on sufficient cause existing for their appointment, be admitted to office under these rules, with the previous sanction of the Government of India in accordance with the Government of India (Home department) letter no. 21/747, dated the 18th April 1879.

(3) that he is able to speak the vernacular language of the province and to read and write at least one vernacular character with facility, having a thorough knowledge of the language;

(4) that he is not under 20 or over 25 years of age;

(5) that he is of sound health, good physique, and active habits and free from any organic defect or bodily infirmity;

(6) that he is able to ride;

(7) that he is of good character; and

(8) that he is a member of the family of a taluqdar, or large landed proprietor.

In the case of classes (*a*) and (*b*) of rule 5 the diploma of the higher course at the Mayo College, Ajmere, will be accepted in place of a degree.

7.—Nominations for classes (*a*) and (*b*) of rule 5 may be made annually on the 1st September by the following officers, the nominations of Commissioners of divisions being submitted to the Government through the Board of Revenue:—

Members, Board of Revenue ...	2
Commissioners of divisions, one each	9
Total ...	11

8.—Every nomination shall be accompanied by the following documents:—

(1) a medical certificate in accordance with the requirements of Article 49 of the Civil Service Regulations;

(2) a certificate of character and conduct, signed by the principal of the institution at which the nominee last studied for not less than one year, or by some responsible officer of the Government;

(3) a certificate of the nominee's ability to ride, signed by the officer recommending the nominee or by a District Officer;

(4) a memorandum showing the status or the services, or both of the family to which the nominee belongs.

9.—A nominee will be required to furnish evidence to prove his age to the satisfaction of the nominating officer, who in judging of the sufficiency of the evidence furnished will have regard to the rules regarding Natives of India proceeding to England for the Indian Civil Service examination.

10.—The nominee of the Commissioner must be a resident of his division and a representative of its leading landowners, or of a family with a record of good service. In making nominations special attention should be paid to physical and social qualifications, and family claims. If in any year no person with qualifications sufficient to justify selection under this rule is found in a division, a nomination should *not* be made.

11.—Selections of candidates in classes (*c*) and (*d*) of rule 5 will be made by the Government.

Probationary Deputy Collectors of class *(d)* will be required to obtain within one year of

* *Viz.*, 10 and 9 in alternate years.

appointment a riding certificate from the District Officer under whom they are serving. Failing this certificate they will be liable to removal.

12.—The Government may at any time select candidates whom it deems suitable for appointment, if it considers it necessary, either in place of or in addition to the candidates recommended to it. Such candidates may be appointed as probationers or to any permanent grade.

12(*a*).—Deputy Collectors on first appointment will ordinarily be classed as "probationers." But in exceptional cases and for special reasons appointments may be made direct under rule 12 to any permanent grade. Deputy Collectors so appointed will not be confirmed till they have passed the departmental examination prescribed for probationary Deputy Collectors.

Rules made by the Local Government for the appointment of Subordinate Judges and Munsifs.

I.—GENERAL.

1.—The United Provinces Provincial Civil Service includes in the Judicial branch the offices of Subordinate Judge, of Judge of a Court of Small Causes (with the two following exceptions), and Munsifs. The posts of Judge of the Small Cause Court at Allahabad and at Lucknow are appointments to which members of the United Provinces Provincial Civil Service can properly be appointed, subject to the rules for the time being in force under 33 Victoria, chapter 3, section 6; but the appointments are not on the list of appointments allotted to the United Provinces Provincial Civil Service and are not dealt with in these rules. The subordinate service in the Judicial branch includes the office of munsarim from the highest grade downwards and the ministerial officers of the civil courts and of the Legal Remembrancer's office.

2.—Admission to the United Provinces Provincial Civil Service in the Judicial branch will be—

(*a*) by recruitment, *i.e.*, by appointment of persons other than Deputy Collectors [*vide* rule 8 (7) (iii)] not already in Government service;

(*b*) by promotion from the subordinate service.

3.—Nominations to the office of Munsif in the Province of Agra are made by the High Court of Judicature for the North-Western Provinces under section 7, Act XII of 1887, and the persons so nominated are appointed by the Local Government. The Local Government will, in communication with the High Court or the Judicial Commissioner of Oudh, as the case may be, select the persons to be appointed, and appoint Munsifs in Oudh, Judges of Small Cause Courts, and Subordinate Judges.

4.—In making nominations and appointments the High Court and the Local Government will endeavour to secure the due representation of the different classes of the community, and will give preference, in selecting from among qualified candidates, to the following persons:—

(*a*) natives of, and persons domiciled in, the United Provinces;

(*b*) persons of superior educational attainments, such as graduates of an Indian University;

(*c*) members of families of tried loyalty and distinguished service, good social status, and influence in the country.

5.—First appointments under these rules will be made to the lowest grade of Munsif.

6.—The Government of India has retained power in very special cases to sanction direct appointments to offices in the highest grades of barristers, advocates, vakils or pleaders of the High and Chief Courts (inclusive of the Judicial Commissioner's Court) who have shown distinguished ability in the exercise of their profession for not less than ten years, and have a thorough knowledge of the vernacular.

II.—QUALIFICATIONS OF PERSONS TO BE APPOINTED TO THE OFFICE OF MUNSIF.

7.—Under section 7(2), Act XII of 1887, the following rules as to the qualifications of persons to be appointed to the office of Munsif in the Province of Agra are made by the Local Government, after consultation with the High Court and with the previous sanction of the Governor General in Council. The same qualifications are prescribed for candidates for the office of Munsif in Oudh:—

(*a*) *Appointment by recruitment.*

8.—The qualifications for appointment by recruitment shall be—

(1) that the candidate is a Native of India as defined by 33 Victoria, chapter 3, section 6, or that he is a subject of a Native prince in alliance with His Majesty: or if he is a European, other than a Native of India, that the previous sanction of the Government of India has been obtained to his appointment, in accordance with the Government of India's (Home department) notification no. 22—747, dated the 18th April 1879;

(2) that he has recently resided in the United Provinces for at least three years;

(3) that he is not under twenty or ordinarily over thirty on his last birthday (Article 51, Civil Service Regulations);

(4) that he is of sound health and good physique;

(5) that he is of good character;

(6) that he has a thorough knowledge of the vernacular, can read and write Hindustani (Urdu) in the Persian character, and can read and write English; and

(7) that he belongs to one of the following classes of persons:—

(i) Advocates, attorneys or vakils on the rolls of, and entitled as such to practise in, the High Court of Judicature for the North-Western Provinces, advocates or pleaders on the rolls of, and entitled as such to practise in, the Judicial Commissioner's Court in Oudh: provided that they have actually practised their profession for at least three years in India;

(ii) persons who—

(*a*) have obtained the degree of Bachelor of Laws of the Allahabad University, or

(*b*) have obtained a certificate of the Examination Board that they have

qualified for admission as vakils of the High Court of Judicature for the North-Western Provinces,

and have for a period of three years practised as vakils or as pleaders in any court subordinate to the High Court for the North-Western Provinces, or as pleaders in any court subordinate to the Court of the Judicial Commissioner of Oudh;

(iii) persons who have for a period of three years held the office of Deputy Collector or of District Government Pleader in the United Provinces:

provided that a Deputy Collector shall not be eligible for appointment unless he has been admitted as a pleader or holds a certificate of the Examination Board that he has qualified for admission either as a pleader or as a vakil of the High Court of Judicature for the North-Western Provinces.

(*b*) *Appointment by promotion.*

9.—Appointment by promotion to the office of Munsif under this sub-division of the rules will be made, as a reward for meritorious service, from the subordinate service of the provinces.

10.—The qualifications shall, in addition to the qualifications prescribed in rule 8 [sub-heads (3) and (7) alone excepted] be—

(1) that the candidate has for a period of three years held one of the following offices:—

Tahsildar;
Deputy Registrar } of the Court of Judicial Commissioner of Oudh.
Judgment-writer }
Translator ... } in the High Court of Judicature for the North-Western Provinces or in the court of the Judicial Commissioner of Oudh.
Reader ... }
Decree-writer ... }
Munsarim of any civil court;
Registrar of a Court of Small Causes;
Head Assistant of the Legal Remembrancer's office; and

(2) that he—

(*a*) has obtained the degree of Bachelor of Laws of the Allahabad University; or

(*b*) prior to 1st January 1892 has obtained the degree of Bachelor of Laws of the Calcutta University; or

(*c*) has been admitted as pleader, or holds a certificate of the Examination Board that he has qualified for admission either as a pleader or as a vakil of the High Court of Judicature for the North-Western Provinces.

III.—MISCELLANEOUS.

11.—The Examination Board referred to in rules 8 and 10 is the board for the examination of candidates for admission as vakils of the High Court and as pleaders appointed under the rules of the High Court of Judicature for the North-Western Provinces, and under section 37, Act XVIII of 1879.

12.—On first appointment under part II (*a*) or (*b*) of these rules to any office in the Judicial branch of the United Provinces Provincial Civil Service the person appointed as Munsif will be considered to be on probation for one year, unless in special cases the Local Government declare such probation to be unnecessary. At the end of that period, should the report of his probation be unsatisfactory, his further service may be discontinued. Should the report be satisfactory, he will then be confirmed.

Tables referred to in preceding note in reply to question (23).

1st April 1890.

Executive.

Grade.	Pay.	No.
	Rs.	
7th	800	3
6th	700	4
5th	600	8
4th	500	19
3rd	400	29
2nd	300	26
1st	250	19

Judicial.

—	Grade.	Agra.	Oudh.	Pay.	Total.
				Rs.	
Subordinate Judges	1st	4	3	800	7
Ditto ..	2nd	7	..	600	7
Ditto ..	2nd	..	3	700	3
Ditto ..	3rd	8	6	500	14
Munsifs ..	1st	23	6	400	29
Do. ..	2nd	23	6	300	29
Do. ..	3rd	20	13	200	33
Judge, Small Cause Court.	..	..	1	800—40—1,000	1
Ditto ..	..	2	..	800	2
2 Sadr Amins in Kumaun—					
1 on Rs. 300 ..	..	..	..	..	..
1 „ „ 200 ..	..	..	..	..	..

1st April 1900.

Executive.

Grade.	Pay.	No.
	Rs.	
1st	800	4
2nd	700	5
3rd	600	9
4th	500	22
5th	400	41
6th	300	37
7th	250	24
Proby.		25

Judicial.

—	Grade.	Agra.	Oudh.	Pay.	Total.
				Rs.	
Judge, Small Cause Court.	..	1	1	800—40—1,000	2
Ditto ..	..	3	..	800	3
Subordinate Judges	1st	3	3	800	6
Ditto ..	2nd	..	3	700	3
Ditto ..	2nd	7	..	600	7
Ditto ..	3rd	9*plus*4	6	500	15+4
Munsifs ..	1st	22	6	400	28
Do. ..	2nd	24	6	300	30
Do. ..	3rd	22	13	200	35

1st April 1912.

Executive.

Grade.	Pay.	No.
1st	800	4
2nd	700	6
3rd	600	12*
4th	500	36
5th	400	52
6th	300	55
7th	250	58
Probationary	(*average*) 176	28

2 Deputy Commissioners, 2nd grade, on Rs. 1,200.

* Including two posts held by Statutories not yet transferred to the Deputy Collectors' service.

Judicial.

Grade.	Agra.	Oudh.	Pay.	Total.
			Rs.	
Judge, Small Cause Court.	1	1	800—40—1,000	2
Judge, Small Cause Court.	3	1	800	4
Assistant Judge ..	1	..	800	1
Ditto ..	..	1	600	1
Ditto ..	2	..	500	2
Subordinate Judge, 1st	3	2	800	5
Ditto 2nd	7	3	650	10
Ditto 3rd	9+8	7+1	500	16+9
Munsifs, 1st ..	22+6	8	400	30+6
Do. 2nd ..	24	8	300	32
Do. 3rd ..	22+5	10+5	200	32+10

Two District and Sessions Judges, 5th grade, Rs. 1,200.

MR. R. BURN, called and examined.

44663. (*Chairman.*) You are the Chief Secretary of these provinces and you come before us to put forward the views of His Honour the Lieutenant-Governor on the subject under our consideration?—Yes.

44664. Before I begin your examination I should like on behalf of myself and my colleagues to express our obligation for all the arrangements that have been made for us during our enquiry in Lucknow, and I daresay you will convey our thanks to His Honour the Lieutenant-Governor for having met us in this kindly way?—I will.

44665. I understand the Lieutenant-Governor's position is based on the assumption, first, that the existing standards of administration must be maintained, and secondly that the justice of allowing Indians a wider opportunity of proving their fitness for administrative work is irresistible?—Yes.

44666. His Honour then explains that he would be prepared to put competent Indians into eight Collectorships and sixteen Judgeships in these provinces?—Yes.

44667. And to give them an open career up to the highest points on their merits?—Yes.

44668. And to recruit against them, in the inferior posts, on the accepted lines?—Yes.

44669. He advises that the Service should be recruited by three different methods, all of which should involve complete entry into the Indian Civil Service. First, competition, as now, in England open to Europeans and Indians; secondly, promotion from the Provincial Civil Service at an early stage of an officer's career; and thirdly, appointment in India by selection after a qualifying examination?—Yes.

44670. I understand he would also keep eight out of the sixteen Judgeships as listed posts for the benefit of senior officers in the Provincial Civil Service?—Yes.

44671. He would allow promotion from the Provincial Civil Service at an early age?—Yes.

44672. I take it that this scheme, together with the scheme for direct appointment on a qualifying examination in India, is to be regarded as supplementary to the open examination in England?—Yes.

44673. The deficit would be made up through these two doors if the number of Indians admitted through the open examination in England did not come up to the proper number?—Yes.

44674. Am I right in assuming that both the supplementary methods mentioned would be purely provincial in character?—Yes.

44675. Does that mean that the Local Government would actually make the appointments, or would it merely recommend to the Government of India or to the Secretary of State?—The idea, I think, is that the Local Government should make the appointments.

44676. There would be no confirmation by the Government of India?—That was not considered, but I take it that that is meant.

44677. Am I also right in supposing that His Honour would regard with disfavour any proposal to post residents from other parts of India to civil posts in this province?—Not officers selected in England by open competition.

44678. They would be appointed as at present?—Yes.

44679. But all who are appointed after the qualifying examination in India would be residents of the province?—Yes.

44680. And would hold their appointments throughout their career in the Indian Civil Service in this province?—Yes.

44681. The selection of these recruits would be made by a Board?—Yes.

44682. I understand there would be unofficial

members on that board?—At least one unofficial member.

44683. Would the non-official member be placed there by election or by nomination?—That was not considered, but I should myself think that nomination would be a better system.

44684. Could you tell us in what other respects this proposal for recruitment by selection in India differs from the old statutory system?—In the first place we have a qualifying examination, and in the second place I think the method of selection will be more careful. We have now a very much larger number of people from whom to make a choice.

44685. Then I see His Honour would send selected candidates to England for their period of probation, but he would not send the officers promoted into the Indian Civil Service from the Provincial Service?—That is so.

44686. Would there not be a danger of these officers being regarded throughout their career as somewhat inferior to those who had been to England and had had a training there?—I do not think that that danger is appreciable. These men would probably have at least 10 years' service, and I do not think we could send them to England to go through a course with probationers who would be 12 or 15 years junior to them.

44687. You think that it will be sufficient to place them in a position of equality with their colleagues in the service who have had three years' training at a University in England?—I do not think that you could expect men at that age to go through a three years' course.

44688. It would be difficult, but the question I was asking was whether this form of recruitment would not give rise to a certain sense of inequality?—I do not think you could get away from the feeling of difference in any case, and I do not think that sending them to England would remove that feeling.

44689. Then the advantages claimed for this scheme are that it could be introduced at once?—Yes.

44690. And that it will not in any way disturb the vested interests of the Indian Civil Service?—That is so.

44691. Do you think that under this scheme an officer of 10 or 15 years' standing would have time to rise to a superior position in the service?—In some cases he might not, but in the majority of cases I think he would be able to rise at least to the rank of a Collector and Magistrate or District and Sessions Judge.

44692. You do not think that a considerable infusion of officers who only reached that rank might upset the calculations of the cadre and produce a stream of irregular retirements?—I do not think so.

44693. The Lieutenant-Governor is also opposed to any separate method of recruitment for the Judicial branch of the Indian Civil Service?—Yes.

44694. And at the same time he admits certain evils in the past but thinks that these could be removed with a better selection of officers for the Judiciary and with a more scientific system of training?—Yes.

44695. I understand his objection to recruitment from the Bar is that it would be impossible to secure the best men on the terms permissible?—Yes.

44696. Whilst on the other hand to take untried and inexperienced men would be injurious to the Service?—Yes.

44697. I gather from that that he does not anticipate that men of standing would be induced to accept these posts?—That is so.

44698. Do you apprehend that there will be any danger of discontent on the part of the Executive officers of the Provincial Civil Service when they see so many prizes on the Judicial side and so few on the Executive?—At present there are only two posts of district officer open to the Executive side, and this scheme I think in time will give a considerably greater number of possibilities to the Executive officers of the Provincial Service than they have at present.

44699. Could you elaborate that to show where the further opportunities are for the Executive?—There are to be 16 superior posts open to Indians and so far as one can judge, it will mean four or five of those being held by officers who have been promoted from the Provincial Executive Service. An exact calculation is not possible, but that is what seems probable, and they will get immediately a much better position.

44700. So that you will have four or five prizes for the Executive as against 16 for the Judiciary, counting in the listed posts?—There will be 8 left for the Provincial Judicial Service.

44701. There are 8 in the Indian Civil Service but that does not comprise the whole, does it?—Eight District Judgeships are left at present for the Provincial Judicial Service, and I estimate that out of the 16 posts which we are going to recruit for, four or five will fall to men from the Provincial Executive Service.

44702. So that it will be a case of three to one in favour of the Judiciary?—Yes, but in addition I think that the members of the Executive Service will consider their position as Assistant and Joint Magistrates much better than the position of a Deputy Collector. They would consider the transfer to the Indian Civil Service cadre a distinct improvement.

44703. You do not see any fear of the Judicial side being over-weighted with Indians?—I do not think so.

44704. Turning for a moment to the arrangements for the open competitive examination, the Lieutenant-Governor would fix the limit of age at from 17—19?—Yes.

44705. He considers that men arriving in India between 20 and 22 are far more suited to undertake the work, more ready to learn, and in every way are much more likely to adapt themselves to Indian conditions?—Yes.

44706. Realising that this age will not suit the Indians so well as the older age, he makes the alternative proposals which we have been discussing in the form of compensation?—Yes.

44707. Then the Lieutenant-Governor advocates a period of two or three years' probation in England for the successful candidates at the open competition, but that is only on the understanding that the examination takes place between 17 and 19?—Yes.

44708. I understand he is so strong in regard to the reduction of the age to 17—19 that, if

necessary, he would give up the period of probation in England?—Yes.

44709. He would prefer a two or three years' probation at the University and he would like to see the Universities offering facilities for an Oriental course?—Yes.

44710. I gather from that that he lays great stress upon the young Civilian having a full grammatical training in the vernacular languages?—Yes.

44711. On the whole the Lieutenant-Governor is satisfied with the form of training which is given to a young Civilian on coming out to India under a Collector?—Yes.

44712. We have had the suggestion made to us that owing to the excessive work which falls on the Collector he is not able to give the full attention necessary for a scientific training, and it is proposed that a Joint Magistrate should be appointed chiefly with the object of giving specific attention to two or three of these Civilians during their training. Could you tell me what your opinion would be as to that?—I think the present system is better. My experience was that as a Collector one had time to do what was necessary to put the probationer under training, in the way of seeing his work, and that the Joint Magistrate in the district would also help in training him.

44713. You think that under the present system, with the Collector at the head, a Joint Magistrate can do, as a matter of fact, in the course of the year a great deal of the personal training?—I think so.

44714. I will now ask you one or two questions with regard to the conditions of the service. We attach very great importance to getting full information on this matter. From the figures you give us I see there is some indication that the failure of officers of over two years' service to rise above the Rs. 500 grade is less marked than it was. You give us a table from 1908—1912, from which it appears that, whereas in January 1910 there were 13, in 1912 there were 7. Could you tell us what the result has been for January 1913?—I have the Civil List figures which have not been finally checked, but I make out from them that on the 1st January this year there were 25 men with two years' service who were not drawing more than Rs. 500 a month.

44715. So that you have gone back to a larger number than you have ever had before?—Much larger.

44716. With regard to the men of eight years' service, taking the January totals again, I would ask you the same question. There is a slight reduction in 1912 as between 19 and 24 in the former year, and so on. Can you tell us what the figures are for 1913?—That figure has also gone up and I make out that there are now 27. Most of the men with 13 years' service reverted during this cold weather.

44717. So that the total is bad in both cases?—It has been much worse this cold weather than it has been for several years.

44718. Will you tell us something about your list "D" of superior posts. To begin with, your Government has appointed an officer not of the Indian Civil Service to hold the position of Inspector-General of Police, which has been recruited for in the Indian Civil Service, has it not?—Yes.

44719. Therefore to that extent the vested interests of the service have been interfered with?—Yes. It is not certain of course that future appointments will be made from the police. There is no definite promise given. It depends on the efficiency of the individuals.

44720. But every case like this aggravates the difficulty?—Yes.

44721. You have also four Settlement officerships, the Deputy Directorship of Land Records, and a group of posts to which no definitely superior pay is attached. You admit that the officers filling these posts occasionally draw less than Rs. 1,000?—Yes.

44722. You give two instances. Are the other four officers regularly in receipt of superior pay?—We have only three Settlement officers at present. One of these and the Deputy Director of Land Records and the Registrar of Co-operative Credit Societies have now reached the stage at which they always draw more than Rs. 1,000.

44723. The whole three?—Yes. We have only three districts under settlement at present.

44724. So that they are superior officers?—One post of Settlement officer has not been filled up yet, as we have no settlement going on. The allowance of four Settlement officers is an estimate of the average number we should have. Sometimes we shall have more than four.

44725. Is it your aim as a rule to appoint senior officers, having in view the present difficulties of promotion?—We should always appoint to these posts officers with more than eight years' service, and if the service were in a proper state they would always be.

44726. They would be in receipt of more than Rs. 1,000?—Yes.

44727. The two Deputy Commissioners in receipt of Rs. 1,000 can hardly be regarded as superior posts?—Their duties are certainly those of superior officers, and the reasons why their pay is less than the ordinary pay is that years ago the posts were held by Assistant Commissioners only. Attempts have been made by this Government to get the pay raised, but the higher authorities refuse to give it. As a matter of fact, those posts are frequently held by officers with from 14 to 18 years' service who prefer to take the posts for reasons of health.

44728. Are they content to take a post of only Rs. 1,000?—Yes, owing to their health.

44729. I have pointed out these different anomalies because I would like to get from you whether if in all these instances appointments had been made of senior officers your difficulties would not have been mitigated?—I admit that.

44730. I should like you, if possible, to put in a statement showing the years in which your cadre is over and under-stocked respectively?—I will do so.*

44731. Have you considered any remedy in the direction of offering pensions to induce officers to retire?—One officer has recently addressed Government on that subject, and enquiries have now been made from several officers in that matter,

*Vide table on page 235.

as to whether they would be prepared to retire if suitable terms were offered.

44732. The officers who were recruited in the congested periods?—The rather senior officers.

44733. And that arrangement is being considered?—It is being considered now.

44734. You have discussed with some care the accuracy of the present assumed decremental rate of 4·17. You are not able to give any definite opinion on it because your conditions have been abnormal, but what you are able to show in your reply is that there may be reason to suppose that the rate is rather higher than is necessary?—I think that is possible.

44735. That is due, I suppose, to the fact that it is calculated over a very long period dating right back into the fifties?—Yes.

44736. And the average rate of mortality has decreased since those days?—Yes.

44737. We have seen some similar indications in other provinces, but you are not able to give us anything more precise?—No; I think our figures are of no value.

44738. You could not give us a precise calculation for the past twenty years?—I think not.

44739. There is a point I should like to ask you in connection with the proposal of His Honour to amalgamate the grades of District Magistrate and District and Sessions Judge. Are we to understand that His Honour is opposed to the idea held by some that the Judicial branch should be paid at a higher rate than the Executive?—In the lower grades he thinks that the pay should be exactly the same.

44740. Therefore I suppose we may assume that, in this province at any rate, you are able to get good officers to join the Judicial branch of the Service?—I think we shall.

44741. The Lieutenant-Governor is opposed to a time-scale?—Yes.

44742. At the same time you would admit that there is a serious difficulty in regard to promotion?—Yes.

44743. Unless you have some alternative scheme of your own, would you give me your opinion as to the proposal which has been advanced by many witnesses for a time-scale divided into compartments, with selection operating as between the different compartments?—My own personal opinion is against it. I prefer the present system.

44744. Would you prefer to see the present system continued with the block in promotion to which it gives rise?—With special remedies during a block.

44745. But would not the special remedies amount to much the same thing in effect as the time-scale?—Yes, but they last for only a short time. It is not a perpetual system like the time-scale.

44746. You do not think that the block is a perpetual menace?—I think the block will move.

44747. But if the system was carried out in a practical manner, and selection were definitely made at certain stages in a man's career in accordance with merit and capacity, would you still say that a time-scale would lead to slackness in the Service?—I still think it would.

44748. Can you give us your opinion, as representing your colleagues in the service, as to what you would like to see done in the way of improving the leave conditions?—I am afraid I have not read the replies yet on the proposals of the Decentralization Commission. That subject is still under discussion.

44749. You are not in a position to say whether you generally favour them or not?—I think that most people would be in favour of abolishing the restriction of the three years' interval between two successive periods of furlough.

44750. You would like to see a reduced period of leave but on full pay, say for six months?—I think that would certainly be popular.

44751. Have you anything to say in regard to pension regulations?—I think that a Lieutenant-Governor should receive a higher pension than the rest of the Service, and I would suggest £100 for each year of completed service in addition to the ordinary pension of £1,000. I would not give any extra pension to members of Executive Councils.

44752. Have you got any views about the conditions of contribution and so on of the service towards pension?—I think that members of the Service, as a rule, would like to get rid of the contribution. That is the general feeling in the Service. They think that the contribution should discontinue and that they should get the full £1,000 pension.

44753. Would you like to see that four per cent. deduction placed to a fund which would be the property of the officer?—I think opinions would differ a good deal about that. My personal view is against it. I prefer the present system.

44754. You would sooner see the present system continued than the contribution withdrawn and allocated to another fund?—I should be strongly against that.

44755. Could you tell us shortly what your objection to such a proposal is, because we have had almost universal evidence in favour of it?—I do not think the members of the Service are sufficiently good business men to make good use of it at the end of their service.

44756. You are giving your colleagues a very bad reputation as the result of 25 years in the public service in India. Is that your only objection to it?—That is my chief objection to it.

44757. I can quite understand that many of your colleagues would not agree with you?—Probably not.

44758. The Lieutenant-Governor is opposed to the re-introduction of any system of competitive examination for the Provincial Service?—Yes.

44759. He is also quite satisfied with the recruits obtained for the Judicial branch?—Yes.

44760. Can you say how many officers there are now who have been actually passed over and left in the lower ranks?—I could send a note of the exact number.*

* *Table showing the number of officers in the Provincial Service whose promotion has been stopped.*

	Grades.			
	4th	5th	6th	7th
Deputy Collectors ..	1	4	5	2
Subordinate Judges	2			
Munsifs	3			

It will be noted that promotions to the 4th and higher grades in the Deputy Collector cadre are strictly by selection, and that in practice the check is applied even in the 6th grade. During the last year one Deputy Collector, who had been promoted from the tahsildar grade, was reverted as a tahsildar, and one Deputy Collector, who failed to pass the departmental examination, has been removed from service.

44761. You say that District Judges are not in a position to tour in their districts. Could you say what inspection of the judicial courts goes on in practice in this province?—The tendency at present is to concentrate the subordinate courts at head-quarters. I think Mr. Burkitt could give you more information on that.

44762. I will not ask you any further questions on the conditions of the Provincial Civil Service because I understand they have undergone re-organization recently?—Yes.

44763. And therefore there are no points you desire to bring before us as regards the pay of that service?—No.

44764. (*Lord Ronaldshay.*) I have studied the system which you put forward for the recruitment of Indians to the higher service with very much interest and it strikes me that it is rather unnecessarily complicated. It may be of course that there are circumstances to which I do not attach sufficient weight which necessitate a complicated scheme of this kind, and it is with a view of clearing my mind as to that that I should like to ask you one or two questions. Under this scheme I understand there would be four avenues for Indians into the higher posts of the Service?—I think only three.

44765. I have made out four; the competitive examination in London, promotion from the Provincial Civil Service, direct appointments in India, and eight listed judicial posts for the Judicial branch of the Provincial Civil Service. That makes four, does it not?—The fourth is not a promotion to the Indian Civil Service cadre; it is a continuation of the present listed system with separate pay.

44766. I agree it is not promotion to the Indian Civil Service cadre, but it is a promotion to posts which are ordinarily filled by officers of the Indian Civil Service?—Yes.

44767. To that extent it is an avenue to the higher posts of the Service?—Yes.

44768. With regard to the competitive examination in London, I have nothing to say; I assume that that will remain as it is. I also assume that if the age-limit is reduced to 17—19 that for some years to come there will not be any very large number of Indians getting in through that door. With regard to the other three avenues, why, if you adopt this scheme of promotion from the Provincial Service, do you still desire to retain the eight listed posts under the present system?—Because we do not want to put the Judicial branch in a worse position than it is at present. It is said in the evidence that we do not think members of the Provincial Judicial Service should be promoted into the Indian Civil Service cadre.

44769. What is your reason for that?—That is explained in the evidence, I think. Their training is not such as would fit them for the post of Assistant Magistrate, their personality.

44770. I understand that you are going to recruit eight superior judicial posts under one or other of these schemes for promotion from the Provincial Service or direct appointments in India, are you not?—Yes.

44771. Would none of the officers of the Judicial branch of the Service receive promotion under that scheme?—They will have eight Judgeships reserved for them.

44772. Are you now referring to the eight listed ones or the eight which are going to be thrown open for appointment under one of these other two schemes?—I am referring to the eight existing posts which are reserved for the Provincial Judicial Service, but we do not propose to recruit by promotion to the Indian Civil Service cadre any members of the Provincial Judicial Service.

44773. Apart from the eight listed judicial posts I understand there are to be another eight judicial posts reserved for Indians appointed in this country?—Yes.

44774. How are they going to be filled?—Eight posts will be filled by promotion from the Provincial Judicial Service on special rates of pay which are detailed. Eight more posts of Judgeships and eight districts will be filled by men recruited by competition, recruited by promotion from the Provincial Executive Service, or recruited by selection.

44775. That is the point I want to get at. Put aside the eight listed posts altogether. The other eight superior judicial posts are not going to be recruited from the judicial side of the Provincial Service at all; they are going to be recruited either by direct appointment or by promotion from the executive side?—Yes. I may say also that the eight districts and eight Judgeships to be filled by these three methods are not absolutely rigid. We recruit for that number of posts, but the men coming into the Indian Civil Service cadre are eligible for any post in that cadre, and we might have at one time six districts and ten Judgeships or ten districts and six Judgeships held by Indians. It would depend on the individuals.

44776. What I cannot really quite understand is why you assume that a man on the Executive side of the Provincial Service is better qualified to fill an Indian Civil Service Judgeship than a man on the judicial side of the Provincial Service?—We do not assume that. You have to take into account the lower grades of the Service through which they pass and also the possibility of their rising to the post of Collector or Commissioner.

44777. I want to try and understand why you think it would be an advantage to have these two avenues into the Indian Civil Service in India instead of only one. Let me take the avenue provided by promotion from the Civil Service first. That seems to me to be a perfectly logical scheme. You select your Provincial Service officer after you have had some opportunity of judging of his capacity as an administrator and then you promote him to the higher service. Why do you think that in addition to that avenue it is desirable to have another avenue, namely that of nominating young men in India, sending them home for three years' probation, and then bringing them out as junior members of the Service? What is the advantage of having the two instead of only the one avenue?—We think it will widen the field of selection, that we may be able to get some satisfactory recruits in that way from men who would not go into the Provincial Service Executive branch.

44778. You anticipate that for your direct appointments in India you would draw on a different class from that which supplies recruits for the Provincial Service?—Yes, a slightly different class.

44779. I understand that the qualifying examination for these direct appointments is to be the equivalent of the Intermediate University Examination?—Yes.

44780. The qualifying examination for the recruit to the Provincial Service is the B.A. degree?—Yes.

44781. So that so far as the educational test goes, the Provincial Service man really starts with a higher education test than the man appointed direct will start with?—Yes, but he comes at the higher age, and the directly appointed man would have the advantage of two or three years' probation in England during the whole of which he will be continuing his education.

44782. You think that that will give him a considerable advantage over the Provincial Service officer?—Yes.

44783. I see you will take these promoted men from the fourth and fifth grades of the Service?—Yes.

44784. That is to say, when you first select them for promotion they will be men of from 10 to 19 years' service?—Yes.

44785. You then proceed to appoint them to the bottom of the grade of passed Assistant Magistrates?—Yes.

44786. That is to say to the bottom of the grade which is filled by Indian Civilians of two or three years' service?—Yes.

44787. Does not that mean that before any of these men could get a superior post they would have been obliged to have served something like possibly 25 or 30 years?—Ordinarily 18 to 27 if the grading of the Service were in a normal condition.

44788. Let us assume that it is and take 18 to 27 years' service. If that is so it seems to me the scheme is open very much to the same objection that the present listed post system is open to, that you appoint your men so late in the Service?—At present I think the period has been something like 25 to 28 years' service.

44789. There is not a very material difference between the ages at which they would be promoted to a superior post under your scheme and the ages at which they are promoted to superior posts under the present listed system?—I think the possibility of getting men in at 18 years' service would be a great improvement.

44790. Do you contemplate that most of the men picked in this way would be of the younger age?—I think the majority would be comparatively junior men, but we wish to give ourselves wide limits.

44791. Why do you consider it necessary, when you have selected these men of 10, 12, 15, or 18 years' service, to put them at the bottom of the grade of passed Assistant Magistrate. Why do you not put them straight away to the bottom of the lowest grade of Collectors?—If you do that it means postponing the scheme for 10 or 12 years. You must remember the interests of the men in the Service now.

44792. I agree, but surely a Deputy Collector has been doing for a great many years the same work that an Assistant Magistrate or indeed a Joint Magistrate has been doing. There is very little difference in the work which the two officers do, is there?—There is a very great difference at once introduced in the work of the District Officer; there are many things which a Deputy Collector has had nothing to do with. The time of the Deputy Collector in these provinces is largely taken up with case work and miscellaneous executive work and there are many subjects which he sees nothing at all about until he begins officiating as District Officer.

44793. What advantage is there in making him a passed Assistant Magistrate?—One great advantage is that he will then begin to officiate for short periods in leave vacancies before he comes to hold a district permanently. Under the existing system of listing it is very largely a matter of chance whether a Deputy Collector who is chosen for appointment as Collector has ever officiated in that post before. Under this system he would be tried in short vacancies and would gradually get experience in that way before he came to officiate continuously.

44794. I suppose that is the only advantage which you expect to derive from putting him at the bottom of the grade of Assistant Magistrates instead of putting him at the bottom of one of the highest grades?—That is one advantage. The other advantage is that it enables you to bring in the scheme more quickly. Otherwise you would have to wait until men in the Service had got promotion.

44795. Still the alteration in his status will not be a very large one. The difference between Deputy Collector of the fourth grade and the lowest man in the Assistant Magistrate's grade is not a very great one?—They attach considerable importance to being moved over. The abolition of Joint Magistracies and the creation of additional posts in the cadre of Deputy Collectors was not appreciated in the least.

44796. I am not clear from what you have said in the printed evidence as to what His Honour's views are of merging the inferior listed posts. In answer to question (42) it is said: "A complaint which has been made by men of the Provincial Service relates to the subordinate posts transferred to that service from the Indian Civil Service. The actual method adopted was to abolish the post of Joint Magistrate and to create a new post of Deputy Collector." That is to say, you merge the inferior listed posts in the cadre of the Provincial Service. "The Lieutenant-Governor is in sympathy with this grievance and proposes in future to take these inferior listed posts out of the cadre of the Provincial Service once more and definitely to put them down as listed posts of Joint Magistrate?"—Those particular posts which have been transferred would be left in the Deputy Collector's cadre where they are. The idea in promoting the Deputy Collectors to the Indian Civil Service cadre is to remove this grievance. Instead of leaving men Deputy Collectors until the time comes at which they will become District Officers holding one of the listed posts, we pick out a younger man and appoint him as Assistant Magistrate.

44797. Then so far as the present inferior listed posts go, they will continue to be merged in the cadre of the Provincial Service?—Yes.

44798. But in future a certain number of the Assistant Magistrates and Joint Magistrates will be kept apart for men who will be promoted from the Provincial Service to the higher service?—They will not be specifically kept apart, but we propose to take men from the Deputy Collector cadre and put them into the Indian Civil Service cadre.

44799. With regard to what is said in connection with the working of the time-scale, His Honour says that his experience of the working of a time-scale is based on his service as Financial Secretary to the Government of India during which he was much impressed by the practical difficulties which it presents. Could you tell us what these practical difficulties are?—There are very complicated rules about what kind of service is to count for increments, and questions of leave, and it is generally necessary to get an annual report on each officer to see whether his increment should be passed or not.

44800. With regard to the last point, have you not a system of confidential reports at present on all your officers?—Yes.

44801. I do not see why there should be any additional difficulty on that ground?—It means examining them more carefully. At present we have to examine them only at a time when there is a question of promotion, unless a man's service is so distinctly bad that you are going to take action at once.

44802. I should have thought if you were going to have confidential reports at all they ought to be examined?—Every one is seen by the Lieutenant-Governor, but he has not to value each man's service each year except in the case of individuals whose reports are so distinctly bad that action must be taken. If it is a question of whether a man is to get an increment or not it means a much more careful examination.

44803. I quite understand your point, but it does not impress me as a very practical difficulty. With regard to leave, what is the practical difficulty arising out of that in connection with the time-scale?—I have had very little personal experience of the working of a time-scale. We have had it only in the Forest department so far as my work has been concerned.

44804. Do you find any practical difficulties arising out of the question of leave in the Forest department?—I am afraid I have not a very clear recollection of the difficulties, but I can remember in the last three years having at least three cases arising out of the time-scale and that was in a small service of 15 or 20 people.

44805. Do you mean to say that a question like this arises when a man is almost due to receive an increment and he goes on leave, or what is the difficulty?—I think the point is absence in excess of leave. That is one case where you have to alter the date of the increment. A man takes privilege leave and overstays his leave by a few days and you then alter the date of the increment.

44806. Do you mean to tell me that under that system the period which a man spends on leave is taken out of the time which he has to serve to get his increment?—I am afraid I do not know this question well. The difficulties which have actually come before me were in connection with overstaying leave I think.

44807. (*Sir Theodore Morison.*) With regard to His Honour's scheme there is only one question about which I should like to be assured. You are going to select between the ages of 18 and 20, are you not?—Yes.

44808. Under ordinary circumstances what sort of examination in India do you think that the student will have passed?—They will be just going up for the Intermediate. The minimum age at which anyone can go up for Matriculation is 16, and the course for the Intermediate is two years.

44809. Is your examination to be on the model of the Intermediate or will a student begin to study for this special examination directly he has passed the Matriculation?—The intention is to have it on the model of the Intermediate.

44810. In the majority of cases he will not have been under a European officer. A great deal of the Intermediate as well as the school-teaching here is done by non-Europeans, is it not?—That is so.

44811. And the greatest value of a college course is the B.A. reading, is it not?—Yes.

44812. And that he will be deprived of? You did not contemplate that any of these students would have read for the B.A.?—No.

44813. I should look upon that as a great loss. Would it be possible to modify this scheme in a way to meet that objection? For instance, do you know whether the educational authorities or His Honour attaches very great importance to fixing the age for Matriculation at 16 rather than 15?—I have no knowledge of that.

44814. If that is not possible, would His Honour consider the possibilities of admitting Indians at an older age than their English colleagues, putting the age at 18 to 21 for them?—That would introduce a disparity to which there would be some objection, and getting these men to work at the older age would be to some extent open to the same objection as that attaching to European Civilians.

44815. But it would not be as great as the present age would be?—No.

44816. If the school-leaving age in England is, as we have been told, 18 to 20 now, and that had to be the period for the English competitive examination, would it not be better to have the Indian age 19 to 21?—At that age you would only get one year of the B.A. unless the age is altered for the Matriculation.

44817. Twenty to twenty-two would undoubtedly suit the Indian educational system better?—Yes.

44818. Then you would be able to accept the B.A., as a sufficient guarantee for a general education and your materials for judging would be very much greater?—Yes.

44819. May I ask whether His Honour in preparing this attempted to get in the B.A., and was compelled eventually to abandon it?—I do not think that was considered. My own opinion would be that it would be better for the people

selected here to be taken at, say, 18 to 20 at most and sent to England, rather than to 20 to 22. I should prefer it to come as early as possible as the training in England would be more effective.

44820. Do you see any difficulties in selecting at that age, the age of callow school-boys?—Selection is certainly more difficult, but I think the value of training at home is increased.

44821. With regard to leave and furlough, it has been suggested to us that it would be desirable to give one month's privilege leave every year, which would not be accumulated, a sort of compulsory holiday which an officer could take or not if he liked. He would not be able to accumulate it. In compensation for it the pay for furlough should be increased and the quantity reduced. Are you in favour of that, what is known as the compulsory month's holiday?—Not for Europeans.

44822 I mean for the Provincial Service?—I think a good many men would not take it.

44823. Even though they lost it altogether?—I think not, especially in the present state of bad promotion.

44824. Everybody would have it?—Men would not face the expense.

44825. Do you think that men do not take enough leave or that they do not get away enough from their work, that they get stale and jaded from sticking at their work too long?—I hardly think so.

44826. I do not see that His Honour has made any recommendations with regard to allowances on transfer, about which we have heard a good deal in other places. Do you think the allowances are adequate?—My own opinion is that they are not adequate. I should like to see much more liberal allowances given on transfer to all classes of officers.

44827. What would you suggest?—I would suggest an allowance for actual expenses with some limits, grading the Service roughly according to pay, and giving the man the cost of carriage of a certain weight of effects and horses and carriages.

44828. That is practically equivalent to increasing the scale, is it not? You give him now a double first-class fare?—Yes, at present you give him a double first-class fare, and I would lay down a maximum scale and he should get actual expenses up to that scale.

44829. In your opinion it is a legitimate grievance of officials that their expenses on transfer are very heavy?—Yes.

44830. (*Mr. Abdur Rahim.*) With regard to your scheme for the direct appointment of Indians, the candidate is sent to a University in England on probation and I should like to know whether he would be obliged to take any degree or any particular kind of degree there?—He would have to pass the ordinary departmental examinations prescribed for men selected by examination in England, and if he chose to stay for a third year he would have to take a degree in Honours in Law or Oriental languages.

44831. He would not be compelled to stay for the third year?—No, that would be optional; but unless he got a degree in Honours he would get no allowance.

44832. In the case of those who stay only two years in England their general educational qualifications will be those of a student who has passed the Intermediate and certain departmental examinations in England?—Yes.

44833. Those men would be rather inferior to the men who are appointed direct to the Provincial Civil Service now?—I do not think so.

44834. So far as educational qualifications are concerned?—I think that the two years special instruction given in England would be quite equivalent to a pass B.A. in this country.

44835. They would certainly be far below the regular Indian Civil Service men in general educational qualifications?—I do not think that necessarily follows if due weight is given to the qualifications disclosed by the examination.

44836. You mean the Intermediate examination? The danger that strikes me is that if this body of men be found generally to be of inferior educational qualifications they will not command the same respect and confidence of the public, nor will they contribute so much to the efficiency of administration, as the regular Indian Civil Service men?—I do not foresee the danger.

44837. As regards the Selection Board, I should like to know whether it has not been thought advisable to have an Indian official of high position on that Board, a Judge of the High Court or a man holding a similar position in the Executive Service?—I see no objection to that.

44838. Would the Selection Board have anything to do with the selection of men for District Judgeships?—No, I should not recommend that. In selecting men for Judgeships the High Court and Judicial Commissioner are invariably consulted.

44839. So that the agency will remain as it is?—Just as it is.

44840. His Honour is opposed to the appointment from the Bar direct to District Judgeships, and as I read it that apparently proceeds on the assumption that the men of five years' practice who are young and untried will be appointed?—I think that is discussing the suggestion that men with only five years' service should be selected.

44841. Five years' practice at the Bar?—Yes.

44842. I am talking now of the suggestion that has been made to us by some witnesses that some appointments may be made direct from the Bar to District Judgeships, including barristers and vakils. The objection seems to proceed on the supposition that men of five years' practice are supposed to be appointed to these places, and I have not understood the proposal in that light. You know perhaps that at present, in the case of High Court Judges, and I believe the Law Member also, it is put down as a qualification that there should be at least five years' standing?—The existing rule for the Provincial Service is ten years.

44843. That is the old anomaly and nobody appoints High Court Judges at five years' standing. That has arisen from the fact that sometimes men, who have been in the profession for a long time as solicitors, get called to the Bar and distinguish themselves at once in their new

profession, and vakils of considerable practice sometimes get called to the Bar. In their case ten years would perhaps be a hardship and a loss to the Bench?—Yes.

44844. I do not know that there would be an insuperable objection in His Honour's mind if men of sufficient standing, say 10 to 15 years, and of sufficient practice, men who if they stayed on another five or ten years in the profession would be leaders at the Bar, were available for these appointments?—The rules at present would permit of the appointment of such a person.

44845. That is one-fourth of the listed appointments?—Yes, two Judgeships in these provinces at present.

44846. His Honour therefore is not altogether opposed to such appointments?—His Honour would consider the claims of persons of that description if good men were available, but at the same time His Honour has been much impressed by the great resentment which is felt in the Judicial branch of the Provincial Service to such appointments.

44847. I understand that in this province only three such appointments have been made?—I can remember two.

44848. They were men appointed from the Bar direct to the District Judgeship. Mr. Justice Mahmud, Mr. Justice Muhammad Rafiq, and Mr. Parma Nand, who is now a Chief Justice in Indore?—Yes.

44849. It is a fact here that evidence in the courts is recorded both in the vernacular and in English throughout?—Yes.

44850. In the Magistrates' courts and the District Judges' courts, and so on?—Yes.

44851. And in the Munsifs' and Subordinate Judges' courts?—Yes. I am not quite certain about the practice in the judicial courts as I have never been a Judge; but in the Magistrates' courts and the Assistant Collectors' courts there is a double record.

44852. Is that due to the fact that many officers are not sufficiently proficient in the language?—That is the practice in the courts of Magistrates and Assistant Collectors.

44853. And District and Sessions Judges?—I do not know, as I have never been a Judge.

44854. That of course entails considerable loss of time and expense?—I certainly do not think so in the case of a Magistrate's court. They are both written simultaneously.

44855. In Bengal the recording of evidence in two languages has been dispensed with, probably because English is more advanced there. As regards His Honour's view on question (88), as to the separation of the two functions, I find he recognises the abstract justice of the claim, but in his opinion there is not a real popular demand for separation and he thinks the practical advantages would not be worth the cost it would involve. I have carefully gone through the reasons and I find there is one important argument omitted which has been placed before us in connection with this demand. It is said that it is not merely the occasional abuse of power but that it makes the administration of criminal justice liable to a certain amount of suspicion in the minds of the public generally. As you know, it is not only necessary that the administration of justice should be absolutely impartial but that the public should have absolute confidence in it. I think the Indian non-official opinion is absolutely unanimous on the point, is it not?—The educated opinion.

44856. Yes, but supposing the educated Indian public opinion is absolutely unanimous on this point, and there is a clear demand, as we have been told by some of the important Indian witnesses, for it even in this province, should not the question be reconsidered?—It was reconsidered in 1907 and I do not know that any fresh ground for reconsidering it has arisen since.

44857. Except that throughout other provinces also there is a considerable demand, as the evidence has shown?—I do not think there is any demand except amongst a section of the educated classes, and their demand is based almost entirely as far as these provinces are concerned, on theoretical considerations, and against it there is the great practical objection of cost.

44858. (*Mr. Sly.*) Under His Honour's scheme I understand that the eight listed Judgeships are to be left just as at present?—Yes.

44859. Is recruitment to these Judgeships to be made as at present from senior members of the Provincial Service, Judicial branch, or does he contemplate any change in that practice?—In that matter I think His Honour would be guided largely by the recommendations of the Judicial Commissioner and the High Court

44860. Then I understand that the two Collectorships which are at present listed for the Provincial Executive Service will be amalgamated into the new scheme?—They would continue to be listed until the men appointed under the new scheme became ripe for Collectorships, that is to say until all men who are now in the Service have had a chance of being selected either for the new scheme or for one of the listed posts under the old scheme.

44861. When the scheme is in full force it will have the effect of giving no promotion out of the Executive Service to an officer who has passed beyond the 4th or 5th grade?—No; that is the effect of the scheme.

44862. Out of these 16 posts I understand one is to be filled by direct recruitment in India and one by promotion to the Provincial Service alternately?—Yes.

44863. The effect of that will be that officers from the Provincial Executive Service will be appointed to Judgeships?—Yes.

44864. Does His Honour see no objection to officers whose training has been wholly executive being appointed to Judgeships?—We propose to give them a special training in Civil Law after their appointment.

44865. But this special training will be given to men who have presumably had 18 years' service already in the Executive department?—Yes.

44866. These proposals have been framed on an annual recruitment rate of 19·5, and in regard to that I should like to ask whether His Honour has considered that the rate of recruitment fixed for the European Service is suitable for an Indian Service of this

description or whether we should not have taken the rate of recruitment which has been fixed for the Indian Provincial Service?—We had no rate fixed in that way. The rate for the Provincial Service has been fixed more by rule of thumb.

44867. I understand the Government of India have issued instructions as to the rate?—Yes, that is the decrement rate. The 194 per cent. is to get the grading of the Service. 4·71 is the recruitment rate.

44868. But is not the 194 per cent. the percentage fixed for the Indian Service?—That is true.

44869. Can you possibly apply such a percentage reasonably to a Service that is going to be half recruited from men who have already 10 to 18 years' standing?—It means that we shall probably have to raise the rate of recruitment when we get some experience of the Service. We shall take more people.

44870. You have given a statement of two advantages that you consider are of sufficient importance to bring Provincial Civil servants in at the bottom of the list of the Indian Civil Service cadre. The first is that it will give them an opportunity of officiating in vacancies of a Collector. But is it not the case at present that the officers of the Provincial Civil Service have opportunities of officiating in vacancies in the listed posts?—The listed officers take very little leave. I think the two men who are Deputy Commissioners at present have taken no leave since they were appointed.

44871. The second advantage you mention is that it will permit the scheme to be brought into effect at once?—Yes.

44872 That would mean that the scheme would practically simply come into effect in name and not in substance?—You would begin recruiting men immediately.

44873. So far as direct recruitment is concerned, but what about officers who are brought in from the Provincial Service?—They can be brought in at once.

44874. But it is simply a difference of name: their duties remain the same?—It is a difference in name, a difference of pay, and the chance of officiating in leave vacancies.

44875. Now I should like to ask you a few questions about the block in promotion in the United Provinces; has the Government ever considered to what exact causes this present block is due?—Yes.

44876. What is the result of that consideration?—Irregular recruitment in the past.

44877. Can you furnish us with a table showing when that irregularity occurred and why it was done? I should like the table to show, for instance, the number of superior posts in existence and the theoretical rate of recruitment and the actual rate of recruitment over years, in order that we may diagnose, as far as can be done, the exact point where the error occurred in these provinces.—I think we have no regular rate of recruitment before 1900.

44878. But in order to test whether the present theoretical system of recruitment is correct it would be useful to know whether, if that system had been followed in the past, it would or would not have had the effect of obviating the present block. The allegation is that the block in promotion in the United Provinces is due to over-recruitment in certain years in the past?—And under-recruitment in previous years.

44879. Perhaps you will furnish us with a table* showing what the recruitment should have been, according to the present theoretical system, as compared with what it actually was?—I will.

44880. (*Chairman.*) That will be comprised in the table I asked for just now?—I think so.

44881. (*Mr. Sly.*) That according to the Government is the only cause at present of the difficulty in the prospects of the Service in the United Provinces, irregular recruitment?—Yes.

44882. Turning to your list of superior posts in the provinces, List D, is the Additional Judicial Commissioner mentioned in that list always filled from the United Service?—That post is. There are two Additional Judicial Commissioners and not more than one has been filled by an officer who was not a member of the Indian Civil Service.

44883. Is it not necessary that the Inspector-General of Police should be excluded from the cadre of the Indian Civil Service if the policy is to fill it from the police?—I think the policy has not been laid down that it should invariably be filled from the police.

44884. Has it been laid down that it shall be filled from the police if a qualified officer in the police is available for it?—I am not certain.

44885. In regard to the Opium Agent, is that a post that should remain on the cadre of the superior posts of the United Provinces?—I think so. I think it is likely to remain so far as we can see, as opium will be required for excise purposes.

44886. With regard to the complaint as to certain posts, such as Settlement Officer and Deputy Registrar of Land Records being held by junior officers, I understand the policy of the Administration is that those posts should be ordinarily filled by officers of more than eight years' service?—Yes.

44887. So that the present difficulty is not under the system of recruitment but simply due to the block in promotion?—Yes.

44888. With regard to the two special Deputy Commissioners who hold superior posts without superior pay, is it the recommendation of the Government that those should be made into posts with superior pay or that they should be cut off the lists of superior posts?—The recommendation of His Honour is that they should stay as they are and be ranked as superior posts for the purpose of recruitment.

44889. If that is the case has not that a contributory effect to the block in promotion through over-recruitment?—When we do not happen to have senior officers in that is so, but almost invariably we have officers with over eight years service holding those posts.

44890. I understand they have a fixed pay of Rs. 1,000, so that any officer of over eight years' service holding that has a grievance?—Yes.

44891. His Honour has made a remark that he would again press that the number of Joint Magistrates and Assistant Commissioners should correspond to the figure given by 39 per cent.

* *Vide* table on page 236.

on the number of superior posts. Is not that already the case, or what is the point of that particular criticism?—If you refer to List D, you will find that we have 73 Assistant Collectors of Rs. 400 to Rs. 500. What we want is to have 68 there and in the compartment above to have 53.

44892. That again is simply due to the existing block in promotion. There is no change in the system recommended by His Honour?—No change in the system.

44893. In regard to the improvement of the prospects of the Service, His Honour has laid most stress on improvement in the pay of the lower grades of the Service?—Yes.

44894. He wishes an increase in the initial salary to Rs. 450?—Yes.

44895. Is that based upon experience which shows that the junior Civilian coming out to the country cannot ordinarily live on his present rate of pay?—Yes.

44896. Practical experience shows that that is necessary?—Yes.

44897. Then he proposes there should be a minimum salary of Rs. 1,500 for any officer officiating as the head of a district or Judge?—Yes.

44898. With those two improvements His Honour considers that the prospects and pay in the United Provinces would be adequate?—There is one other change. His Honour would amalgamate the Rs. 1,666 and Rs. 1,833 grades, and raise the Rs. 1,666 to Rs. 1,833.

44899. In that scheme for amalgamation of the pay of the Executive and Judicial branches, is it not a fact that at the present time there is a difficulty in inducing officers of the Indian Civil Service to enter the Judicial branch?—At the present time we have no difficulty. We have got men willing to take posts in the Judicial Service to fill the number that we require.

44900. Has it been the case recently that the prospects in the Judicial branch of the Service have been substantially better than that of the Executive Branch?—They are substantially worse at present. We have an officer with 18 years' service who is not yet confirmed.

44901. But in spite of that fact there is no lack of recruits for the Judicial branch?—No.

44902. In regard to the two-thirds rule of pay, I understand His Honour recommends that it should be abolished in so far as recruits come in under his own scheme either by promotion from the Provincial Service or by direct recruitment?—Yes.

44903. Does he propose that the two-thirds pay rule should still remain for the eight listed posts in the Judicial Service?—He proposes to raise the proportion roughly to three-fourths. A scale of pay is given.

44904. And for his direct recruitment service he wishes to have full pay?—Yes; they are to be reckoned as Indian Civil Service officers.

44905. Then you will have a system under which certain Judges promoted from the Provincial Service are remunerated at either two-thirds or three-fourths pay and other Judges promoted from the Provincial Service will have full pay?—Yes.

44906. Will not that create a difficulty?—The men will have been taken completely out of the Provincial Executive cadre and become Indian Civil Service officers.

44907. Taken from the same source?—They are taken from the Deputy Collector cadre.

44908. I gather that you have about 260 Deputy Collectors?—Yes.

44909. And about 150 Provincial Judicial officers?—Yes.

44910. For the 150 Judicial officers you will have listed eight Judgeships on three-fourths pay?—Yes.

44911. For the 260 Deputy Collectors you will have eight posts in the Indian Civil Service cadre?—You cannot put down any exact number.

44912. But they are to be recruited alternately, one each year?—Yes.

44913. To sixteen posts?—That is not quite the figure. You recruit a service of 31 officers for 16 superior posts, and you fill those 31 vacancies partly by open competition in England, partly by promotion from the Executive Service, and partly by selection.

44914. It will be something less than eight posts in so far as Indians are recruited by open competition in England?—I should say roughly that the proportion will be probably one-third in each manner. That would mean about ten posts recruited altogether from the Executive Service of which four or five will be superior posts.

44915. Has His Honour considered whether that is an equitable distribution of posts between the Executive and Judicial branches of the Provincial Service?—His Honour thinks it a fair avenue for the Executive Service as compared with the Judicial Service, but owing to the doubt about examination it is impossible to make a definite comparison.

44916. In regard to this qualifying examination for direct admission to the Service in India, do I understand that for admission to that qualifying examination every candidate must have passed the Intermediate examination in Arts?—No.

44917. It is to be an examination of about the same calibre as that of the Intermediate Arts?—Yes.

44918. Why cannot the candidates be selected straight away from those who are successful in the Intermediate Arts?—I think it might be advisable to alter the standard in some subjects.

44919. The only subject which is mentioned is the vernacular. If the Intermediate examination in Arts were accepted as a qualifying examination, coupled with a stricter test in the vernacular, would not that meet the object?—It is a question which should really be discussed with the educational authorities.

44920. (*Mr. Macdonald.*) With reference to the scheme in general, am I right in assuming that the purpose of the proposal is simply to widen the field and to meet to a certain extent the more or less political demands of the Indians for a wider gate way into the Service?—That is substantially the case.

44921. And also that that gateway should be widened not only in England but in India itself?—Yes.

44922. Therefore does it not follow that from the political point of view it is advantageous that the examination should be a separate one and not merely that the competitors should be taken

after they have passed the Matriculation or any other University examination?—I think that might be accepted.

44923. That the entrance should be a specific act apart merely from something that is incidental to other purposes?—Yes.

44924. As I understand it, a very considerable number of the details have had to be fitted in without experience; you have had to estimate that certain things would happen, and that it might be found in the working that alterations had to be made?—Quite so.

44925. So that so far as the smaller details are concerned His Honour just puts them out as a suggestion without regarding them as essential to his scheme?—Yes. I think in particular that our estimate of the numbers to be required is almost certainly too low.

44926. With reference to the point of inferiority, while these selected persons would undoubtedly be inferior compared with the men who are now coming up in England, have not you contemplated a change of age in England as well?—We have.

44927. So that what seems to be inferiority will not be inferiority if the scheme is accepted?—That is so.

44928. I have a difficulty however with reference to these specific proposals regarding the selection. Let me see if I understand it. You have first of all a qualifying examination?—Yes.

44929. And that requires no nomination?—No.

44930. Everybody who cares to sit will sit?—The candidate has to produce satisfactory certificates of character as in the open competition in England.

44931. That of course is very largely perfunctory. Those who pass a certain standard go upon an approved list?—Yes.

44932. Would the marks acquired by the various candidates be published or would you follow the system of a B. A. degree?—I should simply class them.

44933. Successful and unsuccessful?—Yes. I should not publish the actual marks, but class them in two or three divisions according to the standard they have arrived at in the examination.

44934. Would not that give rise to a good deal of rumour-mongering? The unsuccessful men might want to know why they were unsuccessful and how far they came short of success, especially if they were going to have a second attempt?—I think one could resist that successfully without causing undue dissatisfaction.

44935. A man would not know under your proposal whether he had passed satisfactorily in the vernaculars and failed in mathematics, or *vice versâ*?—No.

44936. So that he would never know upon what side of his examination he had to consider himself weak if he wanted a second shot?—No.

44937. Do you contemplate that the number of men approved by the examination would be pretty large?—I am afraid I have not the figures for the Intermediate examination, but I should think it would be a choice of between 30 or 40.

44938. Not more than that?—I think not.

44939. The difficulty that presents itself to my mind, and on which I want you to express an opinion, is this, that when you have your approved men you will have such a very large number in proportion to the number you would have to select to send to England, and the principle upon which you would have to make your selection from them would be so very vague and general, that it would really come to a competitive examination, and the board would simply say "we will take the men at the top?"—I think we could fix the standard so as to limit all but 30 or 40, and as between them I do not think the board would have such great difficulty.

44940. Would not the board simply say that, there were six men at the top, or twenty men at the top, and that the difference between A, B, C, and D was so very slight, and its effectiveness in their future life was so very doubtful, that they would not take it into account at all, but would take the men who had got up to the top?—I do not think that would occur. Our experience in connection with the selection of Deputy Collectors each year is that there are generally one or two men who stand out on the top without any doubt whatever, on academic records, recommendations, family history, and personal qualifications.

44941. Do the men who stand out at the top in that composite examination differ very materially from the men who stand out at the top in the educational examination?—We do not know the marks in educational examinations at all in the case of Deputy Collectors; we have got their degree.

44942. And you have no indication as to the relative educational merits of the men as shown by the examination?—Not as regards marks. We have simply a degree and perhaps a division.

44943. With regard to the question of leave, would you favour an extension of the accumulation of privilege leave?—Not except in cases where leave has been refused when a man had already three months due to him.

44944. If you allowed a man to take, say, four months, it would require to be only on a specific refusal on the part of Government to a request made by him that he should be allowed to take his three months?—Yes.

44945. If you allow a man to accumulate privilege leave, which essentially is an annual leave of a month, I can quite see that it would suit his convenience and his desires perhaps, but will it be good for the service as a whole that men should be encouraged to work on for three or four years without a break so that they might go home on full pay?—My own view is that the month's leave is a great nuisance.

44946. From the point of view of health?—No, from the point of view of the officer taking leave and the point of view of the Administration. If a Collector goes on leave the man who officiates for him generally leaves over anything big.

44947. Is it not your experience in life that we have to do a great many things that are a great nuisance to us in order to do the right thing?—Yes, but it means a good deal of

dislocation in the case of districts and higher posts, and the dislocation is reduced if you lengthen the period of leave.

44948. Have you never had experience of an officer accumulating year after year because he wants to get a long holiday on full pay, and becoming stale and inefficient as the result?—I do not think that is the case. The present furlough rules require you to stay at least three years without taking leave, and during that three years you have accumulated three months' privilege leave. We allow men ten days' casual leave every year by which they can get a change, and if a man is seedy or there is any specially urgent reason we allow a second ten days in this province. I think most men find that sufficient.

44949. Do most men take their twenty days?—I think most men take their ten days.

44950. That is the only leave they have until they have their accumulation of privilege leave which they can join with furlough and take a long holiday?—Yes.

44951. You think that is quite satisfactory?—I think that is satisfactory.

44952. (*Mr. Fisher.*) May I refer for a moment to the main scheme of direct recruitment in India. Has His Honour considered the possibility of a competitive examination following upon a nomination by a Board of Selection in India?—That was considered by His Honour and he objects to it.

44953. May I ask on what grounds that was regarded as undesirable?—It is stated in the paper that "His Honour is convinced that a competitive examination is not the best test for the suitability of an Indian for work in the Public Service in these Provinces."

44954. That was by competitive examination pure and simple?—That would apply after preliminary selection. We have had some experience of a competitive examination in the case of Deputy Collectors in these provinces, and the general conclusion is that it was not a satisfactory method of selecting.

44955. That was not a competitive examination among selected candidates?—Marks were allotted in that for personal considerations, which amounts very nearly to the same system.

44956. I understand that His Honour attaches importance to the Indian candidate taking a degree at an English University?—Yes.

44957. Assuming that a scheme was devised under which English candidates were selected at 19 and sent to the University for a course of probation in Indian subjects, do you think His Honour would regard it as desirable that the Indian candidates sent from India should undergo the same course?—I should think a considerable part of such a course would probably not be necessary. A great deal would depend on the lines that the special course took.

44958. I suppose it would be a course mainly of Law and Indian languages?—Yes. In a case like that I think it would certainly be desirable that candidates selected in India should go through a similar course in a University in England.

44959. Would it be thought desirable that an Indian candidate selected under this scheme should be given an opportunity of matching his abilities in an English University against the abilities of English candidates selected at 19, or would it be thought desirable that he should not have that opportunity?—I see no objection to his having the opportunity.

44960. Do you think if he had the opportunity it would obliterate the feeling that he was an inferior kind of candidate?—Under His Honour's scheme I do not think there will be any question of inferiority. The candidate from India would go home and go through exactly the same course as the men selected by competitive examination in England.

44961. Except in so far as he would take a Pass Degree at the University?—If he stays for the third year he would have to take Honours.

44962. But under the scheme the work of the Indian probationer and of the English probationer only coincides in respect to the departmental examinations?—But it is all work which would be useful for a degree whether in Law or in Oriental languages.

44963. Does His Honour recommend probation at one or more Universities?—Yes.

44964. Is it thought desirable that it should be one University rather than more than one?—I do not think His Honour discussed that. My own view would be to give some choice.

44965. With regard to the question of probation, you will be able to give me some valuable evidence as to whether the study of Persian should be part of the probationary course at an English University?—That would depend largely on what province the candidate is selected for.

44966. If he were selected for the Punjab I suppose it would be important?—For Northern India he should certainly have a choice of taking either Persian or Sanskrit.

44967. Would you make one classical language compulsory?—Yes, and leave the option to Sanskrit or Persian in the case of Northern India.

44968. Could you briefly explain why you would make one classical language compulsory?—A knowledge of Persian is of the very greatest advantage in speaking the vernacular in Northern India and also for appreciating a fair proportion of modern vernacular literature. A knowledge of Sanskrit is also of great importance for speaking the vernacular and for understanding another branch of the literature of Northern India. The ideal thing would be to give both, but that is impossible.

44969. I understand that His Honour recommends an increase in the salaries of young Civilians when they first come out. Would His Honour continue to recommend that increase if the age were reduced to 19?—I think so.

44970. (*Mr. Madge.*) Do you think that the educational system referred to in question (2) for the past 30 or 40 years has advanced in the direction of turning out men qualified to take up the responsibility of life or make them better qualified than the generation that preceded them?—Yes.

44971. Do you think that a perfectly fair system of simultaneous examination is practicable in this country?—I think it is quite impracticable.

44972. But if it were sanctioned what do you think the effect of it would be on public

education ?—I think it would have an extremely bad effect on higher education in this country.

44973. Do you think it at all likely that if a sufficient number of students did not pass an appeal might be made to lower the standards ?—I think that is possible.

44974. I asked that question with reference to an appeal that has been made in some places to lower standards because students did not pass. Supposing that appeal was made on political grounds do you think any greater importance would attach to it ?—No.

44975. His Honour is decidedly in favour of recruiting earlier rather than later in life. Do you think that the British character is better developed at the earlier age than at the later age in England ?—I think that by the time a man is twenty-one his character ought to be sufficiently developed to justify his being allowed to come to this country.

44976. You say of the Board of Selection for the Navy that it would certainly have excluded men in the past who have risen to the highest posts open to the Service. That means either that the promise of early life may be disappointed or that the apprehensions entertained regarding candidates who did not promise well may be agreeably disappointed ?—That is not quite the meaning.

44977. I quite understand the meaning there, but I am taking the same fact and applying it to the comparative reasons of early and late recruitment ?—That refers simply to the question of having a system of selection. It is said that if a system of selection had been applied the possibility is that a number of individuals who actually came out to India and have done extremely well would not have been selected.

44978. But a man selected at 21 may give promise which is not realized, whereas a man considered unfavourable might cause agreeable disappointment by turning out favourable ?—No doubt.

44979. Do you think the Statutory system failed because it was radically bad in itself or because the selections were unfortunate ?—It was mainly because the selections were unfortunate.

44980. Do you not think that under a wiser or better application you might attract a class of men who are not now attracted to the Public Service ?—That was the object of the third method of recruitment suggested by His Honour.

44981. You think that it is better than revising the Statutory system ?—It is a revival of the main principle.

44982. With regard to his Honour not being in favour of any separate method of recruitment for the Judicial branch of the Indian Civil Service, is there any ground whatever for thinking that the great body of the people of this country have any suspicion whatever about the impartiality of the administration of justice at present ?—Not the slightest.

44983. Ignoring the political value of the opinion of the educated minority do you think that more weight should be attached to the opinion of the minority than firstly to what the masses feel, and secondly to what the Government believe to be best for the masses ? —No.

44984. Is not the Government opinion based on practical experience while the other opinion is speculative ?—That is so.

44985. His Honour is strongly opposed to the time-scale system, but supposing it were limited only to the inferior as distinguished from the superior branch of the Civil Service, as divided by the eight-year line, do not you think it would remove a great many grievances that now exist in all provinces, grievances arising from men not reaching Rs. 1,000 within the eight years ?—It would have to extend a great deal beyond the eight-year line in this province at present.

44986. So much the more strength in the argument underlying my question ?—The proposal which His Honour has made to the Government of India is on the lines of a time-scale, but it is a strictly temporary measure.

44987. As regards leave, do Civilians generally leave the country for longer periods than formerly ?—I should say shorter. They take combined leave for six or seven months instead of taking leave for eighteen months.

44988. Do they oftener go away from the country ?—I should say slightly more often. The proportion of men on furlough has increased but the actual amount of furlough has decreased.

44989. Do you think that the increasing frequency of these breaks in the Service affects the service of an officer ?—I think not.

44990. Have you come across many domiciled Europeans or Anglo-Indians in the Public Service ?—Yes.

44991. Do you think they are as efficient as others of their service ?—I do.

44992. (*Mr. Chaubal.*) The demand on the part of Indians for a wider opportunity of proving their fitness for administrative work led to the appointment of the last Commission, did it not ?—Yes.

44993. As a result of that Commission the only tangible wider outlook given was these listed posts ?—Yes.

44994. Apparently those who made the demand are not satisfied and the demand for wider employment continues to be as great as it was in 1886-7 ?—Yes.

44995. I want to know whether the scheme proposed by His Honour, to have a few more listed posts, and the introduction of the principle of selection for a few young Indians, will be likely to satisfy that demand, or whether it will leave the same discontent as we find now ?—I think the educated classes would be still discontented. They desire to have some method of direct entry into the higher branch of the Service without going through the probation of the Provincial Executive Service.

44996. Whatever the process of selection, the educated classes will always remain dissatisfied with a process of selection ?—Yes.

44997. Because the public at large do not appreciate the exact grounds which may have weighed with the selecting authority, and they are always likely to attribute patronage or jobbery in the case of selections ?—That is so.

44998. Therefore would not a scheme which is calculated to bring about this wider employment in the higher service through the same door though which the English Civilian comes

be a suitable one to adopt ?—If such a one could be devised.

44999. May I know what His Honour's opinion would be as regards the proposal that a certain number of scholarships should be started to enable the best Indians to go home and compete in the competitive examination ?—I think His Honour would be strongly opposed to that if the age is going to be altered to 17-19. It would mean selecting boys at 12 or 13, and selection would be very difficult at that age, and there would be danger of those boys failing and causing great disappointment. They would be left in England at the age of 17 or 18 and the cost of completing their education would be considerable.

45000. I was thinking of scholarships being given, tenable for two or three years, to graduates from Indian universities ?—That would introduce a great change in the scheme proposed by His Honour.

45001. But what would be the age at home for the graduate course at any of the Universities ?—I believe the undergraduate now goes up about the age of 18.

45002. His Honour is against making it 21 for the English candidates ?—17—19 at entrance and to come out about 20-22.

45003. Twenty-one would be too high ?—Yes.

45004. How do you propose to equalise the Indian boy at the ages of 17 to 19 with the English boy of the same age ?—His Honour's proposal is that the English boy should be selected between 17 and 19 and the Indian boy between 18 and 20, giving the Indian boy an extra year.

45005. Would the English boy have passed through any tests at home if he is to be selected between 17 and 19 ?—He might or might not. There are various examinations but no University examination.

45006. With regard to the Provincial Judicial branch, at present I suppose the greater proportion of Munsifs freshly recruited are LL.B's. ?—Yes.

45007. On account of the greater number of LL.B's. being turned out, I suppose latterly the number of LL.B's. employed is larger ?—Practically all the Munsifs in the lowest grade in both provinces are LL.B's.

45008. The rules require that they should have practised for three years ?—Yes.

45009. So that when they become Munsifs they are about 30 years of age ?—25 to 30.

45010. Is there a rule that a person beyond 30 cannot get into the Provincial Judicial Service ?—I think it is about 30.

45011. Have you a larger number of applicants every year and a wide field to select from as the vacancies fall ?—Government has no knowledge about the number of applicants for Munsifships because they are appointed by the High Court in the Province of Agra, and in the Province of Oudh the Judicial Commissioner nominates the men.

45012. The application does not come to the Secretary at all ?—No.

45013. Do you know about what the proportion is of persons employed as tahsildars, deputy registrars, writers, and translators ?—There are very few appointed now-a-days I think.

45014. I ask that because it is considered a great nuisance to have a few posts which do not keep you in touch with the law, and there are many persons clamouring for these posts which carry the advantage of preventing the age bar. If a man holds these posts it would not matter if he came in after 30 ?—In the case of Oudh appointments the Judicial Commissioner is asked to recommend such cases as rarely as he can, and I can remember only one recently of a man who had held a clerical post being appointed.

45015. Can you tell me roughly the year in which the last LL.B's. in the Service took their degree ?—No. It is possible to get it.

45016. If as a matter of fact you are now only recruiting into the Service men who passed the LL.B. five or six years back, it will show roughly that the body of applicants must be very large ?—I could not give you any idea without enquiring.

45017. (*Sir Murray Hammick.*) The idea of these various ways of filling up the Civil Service is to get a homogeneous service of some kind ?—Yes.

45018. Will it not be a great objection to the recruitment which you propose for the Provincial Service at the fourth or fifth grade of Deputy Collectors that these men will be about forty years old and will be brought in as Assistant Collectors at the bottom of the passed Assistant Collectors, men who would not be more than 23 or 24 years old ? I do not see much object in bringing in Deputy Collectors and merely calling them Assistant Collectors, when their age and their social status will be entirely different from the Assistant Collectors in the list in which they are placed ?—I think they would appreciate it very highly, and it seems the most practical way of getting their experience gradually.

45019. You think a Deputy Collector of 40 would appreciate being put in at the bottom of the passed Assistants 25 years of age ?—I think they would.

45020. What they would appreciate very highly is a suggestion made to us several times, that these men should be taken in exceedingly young as Deputy Collectors, and after three or four years' service should be taken out and recruited into the Civil Service at the standing which would give them a similar age as that of the men with whom they would be associated. Do not you think there will be a strong objection to this idea of recruiting Deputy Collectors if they are fifteen or twenty years older than their compeers in the Civil Service?—I do not think that objection would be very strong. I think the appreciation they would have for the alteration in their position would outweigh that.

45021. We have had a witness yesterday or the day before who was very strong in his protest against the recruitment of men from the executive side into Subordinate Judges' listed appointments as taking away the emoluments from the Subordinate Judges' side. Is not that feeling likely to be accentuated very much by your proposal to recruit District Judges from the executive side

of the service?—We leave the Provincial Judicial Service as it is at present. These posts are now to be opened for the first time to the Provincial Service. Under those circumstances I do not think the Provincial Judicial Service can justly complain. A special training is provided for the Provincial Executive men who are so selected.

45022. I suppose if one month's leave were granted here and officers were told they were to take the month's leave or lose it every year, almost everybody would apply for leave in the same months of the year?—You would have half the people wanting to go from June 1st, and the rest of the people from September 21st.

45023. That would probably cause considerable inconvenience to the Service?—I do not think it would be popular with the Service.

45024. (*Mr. Tudball.*) Has it been calculated that if one year's furlough were allowed to be commuted into six months' leave on full pay it would entail any enhanced cost to Government?—I do not think any calculation has been worked out by this Government yet.

45025. That suggestion was made, was it not, by the Decentralisation Commission?—Yes.

45026. But it has not been accepted by the Government of India?—It has not been examined yet.

45027. Is there any reason for differentiating between the judicial side and the executive side of the Provincial Service as far as salaries are concerned?—At the present moment a 1st grade Munsif only draws Rs. 200 a month, whereas the lowest grade Deputy Collector draws Rs. 250. Is that an accidental or an intentional differentiation?—The probationary grade of Deputy Collector comes in before that.

45028. We are going to have a probationary grade of Munsif as well, but once a man is confirmed as a Munsif he only draws Rs. 200 a month, while once a man is confirmed as Deputy Collector he draws Rs. 250?—A great deal depends on the period of probation. A man who is appointed direct as a probationary Deputy Collector cannot rise to more than Rs. 200 for at least two years, and then he has to wait for a vacancy in the lowest grade of Deputy Collector before he is appointed.

45029. Then the differentiation was intentional?—I think it is intentional.

45030. Is that the reason for it?—I think so.

45031. Because under the old system, now being done away with, there was no reserve grade of Munsif?—No.

45032. A Pleader or Vakil was asked to officiate?—Yes.

45033. And he frequently kept on officiating for three or four years?—Yes.

45034. So that he was practically serving a probation with snatches of pay for nearly five years?—A Probationary Deputy Collector comes in on Rs. 100 a month.

45035. The Munsif in the old days, before he came in as a permanent Munsif, would officiate at odd moments, at considerable expense to himself, on Rs. 200 a month, for perhaps four years, and when permanently appointed would only receive Rs. 200?—It is proposed to meet that by the grade of probationary Munsif.

45036. Who will get Rs. 175?—Yes.

45037. (*Mr. Kanhaiya Lal.*) With reference to the recent re-organization of the Provincial Service, may I know whether that re-organization was carried out in pursuance of a recommendation made five years ago on the basis of the state of work as it then existed?—That is so.

45038. Is His Honour in favour of giving officiating promotion to the members of the Provincial Judicial Service in the same way as to the higher services?—No.

45039. Is there any reason for the differentiation?—The reasons are explained in the answers relating to the Indian Civil Service. There were special reasons for giving officiating promotion in the case of the Indian Civil Service. The former practice was that when a civilian went on leave he lost a lien on his appointment and the man who officiated for him was really put in substantively. When the change was made by which a man going on leave retained the lien on his appointment they gave the man officiating extra pay as compensation for not getting the appointment permanently.

45040. Is the Government not making a large saving in making temporary arrangements for leave vacancies by withholding officiating promotions?—It has never been a condition of the service that officiating pay should be drawn, and it has always been a condition of the other service.

45041. Would it not improve the prospects of the Provincial Service, especially when there is a heavy block in promotion such as existed some years ago?—The remedy seems to be to alter the scale of pay.

45042. You would rather alter the scale of pay than give officiating promotion?—The grant of officiating promotion would simply have the same effect as a further addition to the scale of pay.

45043. But it would improve the prospects of the Service?—It is much simpler to alter the scale of pay than to give officiating promotion.

45044. Would His Honour be in favour of altering the scale of pay rather than giving officiating promotion?—That is the position.

45045. Is His Honour in favour of giving a starting salary of Rs. 250 to Munsifs as is done in the case of Deputy Collectors, to equalize the attraction to the Judicial and Executive branches of the Provincial Service?—I think you would have to consider the Service as a whole. The Judicial Service rises higher; the highest pay in that branch is Rs. 800 rising to Rs. 1,000. In the Executive Service it is only Rs. 800.

45046. Would it not attract a better class of men if the salaries were equal at the start? It is really a question of degree. The higher the pay the more attraction you hold out. It is a question whether at any given time the scale of pay is attracting sufficiently good men and whether it provides a salary on which a man can reasonably live. With two services, one with a starting salary of Rs. 200, and the other Rs. 250, which service is better likely to attract the men?—So far as educational qualifications are

concerned, the Judicial branch seems to attract better men.

45047. There is a complaint that it has been attracting only failures at the Bar. To provide against that complaint it is necessary to ensure that good men are secured by giving a good salary?—I do not think that complaint is likely to be accepted, that only failures at the Bar offer themselves for Munsifs.

45048. In order to get good men earlier we have to give them a proper starting salary. If the salary is only Rs. 200 you are more likely to get failures from the Bar than men who have been successful there?—No complaints to that effect have reached Government.

45049. Did the Greeven Committee recommend that the starting salary should be Rs. 250?—I do not remember.

45050. Are you in favour of giving more liberal travelling allowances to all the Services on transfer?—Yes. That is my personal opinion.

45051. You propose to provide some kind of special training for officers of the Executive Service in order to help them on to judicial appointments?—Yes.

45052. What kind of special training is it to be?—The proposal is to attach them to the Allahabad district and to require them to attend lectures at the Law College, after which they would have a qualifying examination.

45053. Would that be equal to the practical judicial training which officers of the Judicial Service get by doing judicial work during the period of their service?—You could hardly compare the two.

45054. One is practical and the other is theoretical?—The officers of the Executive Service would have had considerable practical experience in trying criminal and revenue and land cases. Their training would be chiefly in the direction of civil law.

45055. But would they have any practical training in administering civil law?—They would get their training in the posts of Sessions and Subordinate Judges, of which four are now open to members of the Indian Civil Service.

45056. I hope when you make the recommendation you recognise that almost three-fourths of the work done by District and Sessions Judges is civil in an average district and that only one-fourth is criminal or revenue?—Yes.

45057. Do you think a member of the Executive branch with a theoretical knowledge of civil law will be able to do equally well when working as a District and Sessions Judge as a member of the Judicial branch?—I think so.

45058. Would you give no preference to practical work?—No.

45059. Are you aware that there is a standing grievance amongst the officers of the Judicial Service that they are not allowed privilege leave on full pay?—Yes.

45060. Are you also aware that the Greeven Committee made some recommendations on that point?—There are no proposals at present before the Government.

45061. I suppose the matter was then considered?—It might be considered if it be represented.

45062. Do you remember that a memorial on that point was submitted by the officers of the Judicial Service in 1907-8?—I think the present rules in Oudh were altered with the concurrence of the Oudh Judicial Service, but I understand from conversation with members that they have changed their minds since then.

45063. You say the Government will consider the matter if a memorial is submitted?—Any representation that is presented will be considered.

45064. (*Mr. Fasih-ud-din.*) When was the present scale of pay of Deputy Collectors fixed?—The new scale has just been sanctioned.

45065. I mean the grade pay of the Deputy Collectors?—I have not any idea.

45066. Was it about 30 years ago?—I do not know. The point of the new system is that the numbers in the grades have been altered. The number of the lowest grade has been reduced, and the sixty-one men who are being added to the Service are all being placed in the higher grades, so that the average emoluments of a Deputy Collector are very appreciably increased.

45067. But I believe that the addition to it of these sixty posts in the Deputy Collector cadre does not leave as much increase as would have accrued if these posts had not been added?—There is a very substantial increase in the average pay.

45068. I believe that under the present arrangement the man in the Rs. 600 grade, if he is at the bottom of that grade, will have to wait until two batches in the next higher grade are promoted. The number in the Rs. 700 grade is ten and in the Rs. 600 grade twenty-two; so that a man at the bottom of the lower grade will have to wait until two batches in the next higher grade have to go?—Yes.

45069. His Honour is opposed to the separation of the judicial and executive functions on the ground that there is no abuse of power by Deputy Collectors. I believe His Honour means that Deputy Collectors do not allow their judicial independence to be impaired?—That is so.

45070. In that case you would not agree with some of those witnesses who said yesterday that Deputy Collectors were apt to look up to their superior officers in the matter of their judicial work?—No.

45071. I believe this opinion of His Honour is based upon personal observation as well as on the reports from the District and Sessions Judges in the annual criminal administration reports about the work of the Deputy Collectors?—Such reports are received and seen by His Honour.

45072. In view of the fact that there are sixteen Judgeships for the Judicial Service and only eight Collectorships for the Executive, would you admit a senior Deputy Collector, who showed a special aptitude for judicial work, and try him as a Judge, especially if he gets a training as Assistant Judge?—There will be now eight districts and eight Judgeships to which a member of the Provincial Executive Service may be appointed.

45073. There might be some Deputy Collectors who may be very good as executive officers and who aspire to be Collectors; and there might be others who may be very good judicial officers and need an opening for the display of their judicial attainments. Would you, in exceptional cases,

give the latter a trial?—In the scheme proposed by His Honour Deputy Collectors will have chances of being promoted to Judgeships.

45074. Through the Indian Civil Service?—Yes.

45075. Do you think that under this scheme a member of the Provincial Service, when taken from the Rs. 400 or Rs. 500 grade, after twelve years' service, will stand the chance of getting, say, a Commissionership, or some such post, while his colleague who has been recruited through the competitive examination in India will be twelve years in advance?—I think the men recruited by promotion will have very little chance of getting a Commissionership.

45076. In that case do you agree that such good people will not be attracted to the Provincial Service as now?—I think the prospects of the Executive branch of the Provincial Service will be very much improved by this scheme.

45077. I see that you guarantee the position of the present senior officers, but what about the future senior officers? If their promotion continues to depend upon merit, as now, there will be no opening for them?—They will have had their chance at an earlier stage. If they are not selected at an earlier stage, under this scheme they would not have a chance of getting a district later when the scheme is in full working order.

45078. Would it not be advisable to increase the maximum pay of the grade and throw out some sort of temptation for them too?—That may possibly come later.

45079. Do you think that there is any material difference in the work of a Joint Magistrate and a Deputy Collector?—That entirely depends on the District Magistrate.

45080. Whatever work he may give?—Yes.

45081. Very often he gives work to both these officers indiscriminately?—Yes.

45082. Especially when the Deputy Collector is a deserving man?—Yes.

45083. In that case I do not see the advantage of making him an Assistant Collector twelve years behind hand?—There are certain duties of District Officers which cannot be exercised unless a man is acting as a District Officer.

45084. Would you not give a Deputy Collector more officiating chances?—You cannot do it under the present system. Under the present system you can appoint a Deputy Collector to officiate for an Indian Civil Service officer only if no Indian Civil Service officer is available on the spot.

45085. Will His Honour be prepared to extend that favour to the Deputy Collector now in order to give him a training in self-reliance and those qualities which are essential for a District Officer?—The Lieutenant-Governor prefers this scheme.

45086. Do you think that the rule about a seven years' interval between two furloughs operates rather harshly upon Deputy Collectors?—I do not think so.

45087. For instance, a man taking one month's furlough is debarred from taking another furlough for seven years?—They do not take one month's furlough.

45088. They do sometimes?—I think there is no hardship in the case of a man living in his own country. He can always get leave on medical certificate. The statistics show that furlough is very little taken.

45089. Do you think the Deputy Collector deserves to be brought on to the warrant of precedence in order to increase his prestige and status?—I had not thought of that at all.

(The witness withdrew.)

[Adjourned for a short time.]

Table showing the normal and actual distribution of the Indian Civil Service in the United Provinces on 1st January 1913 *referred to in question no.* 44730.

Year of service.	Year of arrival.	Normal distribution.		Actual distribution on 1-1-13.		Remarks.
Above 35	1877 & earlier.	·61		1		
35	1878	1·34		0		
34	1879	1·58		4		
33	1880	1·83	10·11	4	7	
32	1881	2·19		1		
31	1882	2·56		1		
30	1883	3·05		3		
29	1884	3·53		2		
28	1885	4·27	21·70	4	20	
27	1886	5·00		5		
26	1887	5·85		*6		*Excluding Mr. Chapman permanently transferred to Central Provinces.
25	1888	6·34		6		
24	1889	6·58		11		
23	1890	6·71	33·65	9	40	
22	1891	6·83		7		
21	1892	7·19		7		
20	1893	7·19		12		
19	1894	7·44		10		
18	1895	7·56	37·80	8	50	
17	1896	7·68		12		
16	1897	7·93		8		
15	1898	7·93		11		
14	1899	8·05		11		
13	1900	8·17		†7		†Including Mr. Alder not numbered but serving under the Government of India.
			41·10		43	
12	1901	8·41		7‡		‡Excluding Mr. Johnston serving in Bengal.
11	1902	8·54		7		
10	1903	8·66		9		
9	1904	8·78		7		
8	1905	8·90	44·63	7	38	
7	1906	9·02		6		
6	1907	9·27		9		
5	1908	9·39		10		
4	1909	9·51		10		
3	1910	9·63	48·17	10	47	
2	1911	9·76		9		
1	1912	9·88		8		
		237·16		245		

Table referred to in question no. 44879.

Year.	Number of superior posts.	Recruitment. At theoretical rate.	Recruitment. Actual figure.	Average of 5 years.
1883	..		5	
1884	..		8	
1885	..		7	7·6
1886	..		9	
1887	..		9	
1888	..		7	
1889	..		11	
1890	..		11	9·6
1891	..	(1) 9·2	10	
1892	..		9	
1893	..		14	
1894	..		12	
1895	..		11	11·8
1896	112		14	
1897	112		8	(*a*)
1898	114		12	10·2
1899	114		12	
1900	114		9	
1901	114		10	10·2
1902	114		8	
1903	114	(1) 9·2	10	
1904	114		8	
1905	114		7	8·2
1906	115	(2) 8·9	6	
1907	118		10	
1908	118	(3) 9·4	10	
1909	118		10	
1910	118		10	9·4
1911	120	(4) 9·6	9	
1912	120		8	(*b*)
			285 average for 30 years.	9·5

NOTE.—

(*a*) Omits Mr. Seton who did not come out.
(*b*) Omits Mr. Plowden who has not come out yet.
(1) At 4·31 per cent. on a strength of 214.
(2) At 4·17 per cent. on a strength of 214.
(3) At 4·17 per cent. on a strength of 226.
(4) At 4·17 per cent. on a strength of 231.

THE REV. W. E. S. HOLLAND, Warden, Oxford and Cambridge Hostel, Allahabad.

Written answers relating to the Indian Civil Service.

45090. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—On the whole, yes.

45091. (4) Do you consider that the combination of the open competitive examination for the home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Yes. Lately the majority of the men at the top of the list have chosen the Home Service. Were the examinations to be separate many of those might never enter for the Indian examination. But having entered the combined examination, they might be willing to accept Indian Service, if not successful in obtaining a Home appointment. India thus gets the service of some of the very ablest men who otherwise would never come here. I also consider it would be of great gain to India—and to the Empire, and with no commensurate loss to English interests—if, by a combined examination, posts in the Home Service were thrown open to Indians. Such interchange would enormously help to foster Imperial unity and sentiment, and to draw closer together the several parts of the Empire; and it would help to make India feel its vital share and interest therein. The resulting sense of equality as citizens of one Empire would greatly foster Indian loyalty, and thus facilitate the task of Government. The same only holds good of the Colonial Service, in the case of Colonies willing to admit Indians on terms of absolute equality. "Natives" of other Colonies should not be admitted to the Indian Civil Service examinations.

45092. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—Crude and defective as it is, I can see no other practicable basis for any system of recruitment for the Civil Service than open competitive examination. But I consider such examination needs to be supplemented by a very careful system of (*a*) selection, (*b*) training, whether in the case of English or Indian candidates. Competitive examination by itself is far from being a sufficient test of fitness for the Service. But the selection should *follow*, not *precede*, the examination. This provision is important to ensure a sufficient standard of ability, and to minimise the evils that almost inevitably attend a system of nomination. Selection before examination will be a perpetual source of irritation and discontent, and, in India, must lead inevitably to the most degrading accompaniments of the patronage system.

In my judgment the present examination should be continued: only it should be regarded as a *qualifying* examination: those at the head of

the list, up to a number of 33 or 50 per cent. in excess of the posts to be filled, being reserved for selection. Selection should then be made after personal interview and careful scrutiny of the candidate's history and educational record, attention being specially directed to sides of the student's career *other* than his intellectual attainments. The process of selecting Rhodes Scholars and Naval Cadets suggests obvious analogies. The selection should be made quite freely from among the total number of reserved candidates, irrespective of their order on the list, though, *cæteris paribus*, that would determine doubtful cases. The selection Board should include among its members Hindus and Muhammadans, and it should be laid down that the racial distribution of the Selected candidates—say 100 in number—should be the same as that of the 100 who stood highest in the written examination. Only the order of merit and marks of the finally selected candidates need be published.

45093. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—It is an admitted principle of British rule in India that office is to be open to all His Majesty's subjects, if properly qualified, irrespective of creed or colour. Further, it is the declared aim of our Government to entrust to the people of India, as they shall show themselves capable thereof, a growing share in the administration of their own land. The holding of the Civil Service examination in England interposes a most serious and arbitrary bar to the fulfilment of either aim. It places Indians at a grave disadvantage, as compared with their English fellow subjects. Moreover, it deprives the Indian Government of the services of many Indians who would prove its most useful and capable servants. In my experience I should say that much more often than not the very ablest of my students,—men who would eagerly have entered for the Civil Service examination had it been held in India,—have been debarred by caste scruple or by poverty from proceeding to England. These have turned to other professions, most frequently law, the Provincial Civil Service not offering sufficiently attractive prospects. Further, it is derogatory to the prestige of the British Service; for it suggests that the Englishman is afraid to meet his Indian fellow-subject on level terms.

It is in my opinion undoubtedly true that the administrative ability of the average Englishman is higher than that of the average Indian. And I think all the Indians with whom I have discussed the matter freely admit this. Very few, if any, are in favour of simultaneous examinations, unless safeguarded by adequate provision for *selection*, *training*, and *probation*. But the intensity and determination of the demand for simultaneous examinations thus safeguarded cannot be wisely ignored. The refusal of this unmistakeable demand will leave behind it a rankling sense of injustice amongst just those influential classes of India whose cordial co-operation it should be the business of our administration to secure. Indians complain, with justice, that, under a system which precludes a very large proportion of their ablest men from entering the service, they have had no opportunity to show what talent for administration lies latent in the Indian people. One main obstacle lies in India's lack of the kind of education which alone can develop the talent for administration. And the kind of education which is needed will never be provided until it is demanded by the opening up of careers for which it is the necessary preparation. Indeed, almost the chief reason for which I should welcome the institution of simultaneous examinations of the modified type suggested is the enormous reflex stimulus which this step will exert on the whole system of higher education in India. It will at least make both staff and students feel that there are things in education quite as important as the successful passing of examinations. It will stimulate the student's interest in activities towards which at present they display a languid indifference. Character will receive its due place as the central object in education. Few things more strangle Indian education in its higher reaches than the dearth of honourable careers to which it may lead. There is sorely needed the stimulus of honourable ambition. The extent of the healthy reaction exerted by the introduction of simultaneous examinations will depend on the character and importance given to the selective process after written examination.

*In order to introduce the kind of education needed it might be well for Government to found a model school and college of a type superior to anything at present in India, to prepare students from boyhood up to the B. A. in one of the Indian Universities, but specially intended for candidates for the Civil Service examination. The staff should be of the very best and the internal arrangement should approximate to those of a Chiefs' College, especially in the intimate relations between staff and students, and the emphasis laid on sides of school and college-life other than lectures and examinations. In order to ensure as far as may be the imparting of the British spirit to those who aspire to a place in the British Imperial Service, the English staff should be in the proportion of one to every 25 or 30 students. The college should not possess a monopoly, nor should it undertake specific preparation for the Civil Service examination, any more than does an English University, else it will be held responsible for the success or failure of Indian candidates; and the greatly needed stimulus to Indian education will be lost.

I said above that the average of administrative ability was lower in India than in England—but a Civil Service examination eliminates the "average" man. And this same difference does not obtain among men at the top, my observation inclining me to believe that Indians who survive such a test will be found not inferior in administrative ability to their English examinees. In this respect representatives of each race will be found to possess certain advantages not held by the other. And it needs to be remembered that at present India affords very inferior educational facilities compared to those available in England and that the examination for Indians is in a foreign language.

This means that the educational test is much severer for Indian than for English candidates: a fact which goes far to cancel the general lower level of efficiency obtaining among Indians. For many years to come there is certainly no danger of Indians swamping Englishmen in the examination.

We won our position in India by merit without favour. I believe sufficiently in the gifts and qualities of my own race to desire no arbitrary

* Also referred to in question 45160, page 248.

arrangement to safeguard our position. Given level terms and we shall more than hold our own. We ask a fair field and no favour. And the Indian does the like.

Further, I have been greatly encouraged by the way students in my hostel have risen to whatever administrative responsibility has been entrusted to them. Under a system of elected prefects the level of efficiency has steadily risen, and I have been impressed by the high sense of responsibility shown in deliberation. I am of opinion that as our educational system gives increasing attention to the development and training of the character of the pupil, there will be a corresponding rise in the number of Indians qualified for high administrative charges.

But again we need to ask ourselves what we mean by efficiency, when speaking of the British rule in India. We do not smooth the way of our administration by the continuance of a system which breeds a growing sense of injustice in the hearts of the educated classes, on whose sympathetic support we must increasingly depend and which suggests that the Englishman to-day fears open competition on level terms. Is it not essential to the efficiency of our administration that we shall in increasing measure associate with ourselves the intelligent and active co-operation of the most influential classes in India? Plainly that task will be greatly facilitated by the inclusion of a larger number of Indians in the higher ranks of our services. In a country where social intercourse between foreigner and Indian is so notoriously difficult, they, as none others, can act as mediators between the official and non-official classes. If it is in any serious sense our aim to give the people of India an increasing share in the government of their own country, the institution of simultaneous examinations seems imperative.

The only alternative would seem to be the arbitrary fixing of a minimum proportion of Indians to Englishmen in the Services, and a raising of that proportion from time to time. Against this method, as I shall hope to show, there are most serious and, to my mind, fatal objections.

I should, however, only favour simultaneous examinations in England and in India on the express condition (i) that the system of selection *after* examination on the lines above suggested be adhered to. Some such provision is required to make possible the dropping of successful examinees unsuited by character for administration. But this selective process must not be used seriously to alter the proportions between English and Indian candidates.

(ii) That all candidates passing in India be sent for 3 years' training in England.

(iii) That there be a system of careful probation in the lower ranks of the Services, with promotion by merit not by seniority.

45094. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I disapprove of any attempt to fix a proportion between English and Indian candidates. I know no available standard for the fixing of the proportion. And, with India's rapidly changing conditions, it would need to be constantly revised. An arbitrary proportion would be the occasion of perpetual agitation. Moreover, it appears to me to be a flat inversion of the Queen's Proclamation, which knows no other test than that of merit and capacity. Nor am I in favour of any system of separate examinations which might give occasion for unfavourable reflection on the abilities of those passing under one or other system.

45095. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of *(a)* nomination, *(b)* combined nomination and examination, or *(c)* any other method? If so, describe fully what system you would recommend? In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I consider that in selecting persons for positions of the importance of those filled by the Indian Civil Service, ability and character should be the sole guides. The fierce light of publicity plays upon such offices, and men of the capacity to fill them may be trusted to deal fairly with inter-class problems.

Adequate representation of the various communities is probably required in the lower branches of administration. But it is no kindness to a community to confer upon it by favour positions to which it has not won its way by merit, and thus rob it of one chief incentive to educational progress and social advance. And to appoint to high administrative posts any save those thoroughly qualified is to court a disaster in which all classes will suffer.

45096. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Certainly. Few preparations would be more valuable to an Indian than education in an English public school and college.

45097. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I am of opinion that among the professional classes there is a large area of available talent which is not being utilised for the service of the people of India. There is, in every Indian district, an increasing number of professional gentlemen who devote a large part of their time to public affairs. Among them are several who have displayed great capacity in this direction. It may be impossible to recruit them direct into the higher grades of the service, but an increasing number of posts, such as the chairmanship of municipalities and district boards, at present filled by

civilians, might well be thrown open for tenure by such persons.

45098. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.—Yes.

45099. (13) If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I should fix the age limit at 22 or 23 for English and Indian alike:—(i) In order to allow for a University career and the institution of an examination which shall be as free as possible from cramming: impossible at the school leaving age. I should require all candidates to have obtained a University degree. (ii) To enable all to commence actual work at or before the age of 25 or 26.

45100. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—No.

45101. (16) What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Arabic and Sanskrit should be given the status of Latin and Greek.

In order that the examination may become a real test of intelligence and culture, it seems to me imperative so to alter its character as to make it impossible to prepare for it by a system of cramming. This point is absolutely essential and pivotal to my whole scheme. For the results of competition on the basis of an examination, which can be prepared for by cramming, will be even more disastrous in India than in England.

45102. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No. I have given my reasons above.

45103. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—If there be degrees of comparison in the application of an unvarying principle (!) I should say that "more especially" in the highest posts appointment should be based on nothing but proved capacity and character. The best man for the post, whatever his race. So only can the Empire best be served. If this principle be acted on, no Indian will ever be appointed to one of the higher posts till he has demonstrated his fitness therefor by proved service. And when once an Indian has proved himself the ablest man for the post, he must, in the interest of good government, be forthwith appointed. Fears of a deterioration of efficiency in any post above the lowest grade by the wider admission of Indians to the Civil Service are groundless. From the moment of admission to the service proved capacity would be the absolute condition for promotion. This would prevent the appointment to any post above the lowest grade of any Indian of less capacity than an English competitor for the same post. The time to consider the fixing of a minimum of English Civilians will not arrive till the Englishman has ceased to be the superior or equal of the Indian. When that time comes, no fixing of an arbitrary minimum will save the British Raj. As it is the English character of the examination is a proper and valuable safeguard of the British character of the Service.

45104. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre, partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes; see question (10).

45105. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—In order to stimulate healthy ambition and to make the Provincial Civil Service more attractive to the best type of man, I am strongly of opinion that the way should be open for the promotion of officials of proved merit from the Provincial to the lowest rank of the Imperial Service, whether Executive or Judicial. Thereafter, the promotion of these persons to higher rank in the Imperial Service should be determined exactly as in the case of those directly recruited. Appointment should be to the Imperial Service as a whole, rather than to particular listed posts therein.

45106. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I have already stated that I am only in favour of recruitment by competitive examinations, and of simultaneous examinations in England and in India on the express condition that the examination be regarded as a qualifying test, to be followed by an adequate system of selection, training, and probation. I regard this to be necessary alike in the case of Indian and of English candidates, but for slightly different reasons.

1. In the case of "Natives of India." Immediately on selection these should be sent for three years' training in England. I regard it as absolutely essential that so long as the British rule in India shall continue, the administrators of that rule shall have imbibed the spirit and ideals of British public life and service. Moreover, few things will so effectually tend to raise the standard of efficiency in Indian candidates to a European

level, as some years wisely spent in England. I should therefore require all "Natives of India," immediately after selection, to proceed to England for three years' training. Indian parents, who, on grounds of poverty or other reasons, would refuse to allow their sons to go to England for some years rough and tumble life unsupervised in London, on the mere chance of possible success later on in the Civil Service examination, would seldom refuse to allow to go to England for a course of training a son who had already been admitted to the Service. The three years should be spent on a carefully thought-out plan and under supervision. Possibly one year at Oxford or Cambridge, a second year in a Government hostel in London, while studying at the Law Courts and Government offices, and a third year in examining the working of a municipality, railways, factories, and some time at a model farm. On his return to India all promotion would depend on proved capacity.

2. In the case of other than "Natives of India," I have one clear conviction, and that is that it is of the greatest importance that successful candidates should be brought out to India for two or three years of further training under most carefully chosen guidance; that they may study languages as well as Indian history, Indian literature, Indian art, Indian religion and folk-lore on the spot. It seems to me most essential that English Civilians should have more opportunity than is possible in the pressure of full work later on to become thoroughly acquainted with the thought, sentiment, and history of the people they are to serve as rulers; and shall have impressed on them the high value set by Orientals on sympathy of attitude and considerate courtesy in manner.

45107. (50) Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—It appears to me that, in view of the much greater cost of English, as compared with Indian education, and the expenses of Civil Servants in India whose domicile is in England, compared with those whose domicile is in India, it would be equitable that those qualifying through the examination held in India should receive two-thirds of the pay attached to a post when held by a Civil Servant who qualified in England.

Further, there is a considerable body of evidence to show that the Civil Service no longer attracts to the same extent the class it secured in the past. The attractions of more lucrative careers at home opened up by England's expansion in wealth of recent years are proving too strong. It would seem that the only way to secure the best product of our Universities is to increase the pay; the more so as the introduction of simultaneous examinations will in some respects detract from the attractiveness of the Service to Englishmen.

Written answers relating to the Provincial Civil Service.

45108. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—My experience only justifies me in making one remark on the place nomination has in the present system of recruitment for the Provincial Service. I am disgusted by the annual procession of supplicants for notes, introductions, and indirect and back-door influence of all kinds in the interest of their suits for nomination. It is degrading to the applicant, degrading to those whose good offices he seeks (and without which he stands small chance of nomination), and degrading to those who have to appoint with little real knowledge of the comparative merit of the candidates. No system could be worse than this. To leave to personal choice a selection in regard to which there is insufficient opportunity for personal knowledge is unfair to all concerned. To my own knowledge it has resulted in the appointment of most unsuitable persons, and the passing over of some of the best students I have had. I have observed the same results when it has been considered necessary to appoint to a certain vacancy a man of a certain class. My proposal would be the same as in the case of the Imperial Service—a semi-competitive qualifying examination, from which a number of candidates larger by a half than the number of vacancies to be filled would be reserved. From these a board of selection would choose after interview and examination of past records, with provisions—so far as fitness made possible—for due representation of different classes. This species of *viva voce* examination should take place at the smallest possible interval after the publication, in alphabetical order, of the reserved list: to exclude any attempt to bring personal influence to bear. Similar arrangements should be made in the case of the Imperial Service examination.

THE REV. W. E. S. HOLLAND, called and examined.

45109. (*Chairman.*) You were until recently, I understand, Warden of the Oxford and Cambridge Hostel at Allahabad?—Yes.

45110. And you have now gone to Calcutta?—Yes.

45111. Will you tell us what your work was in Allahabad?—I was in charge of the hostel. There were about a hundred students, most of whom were Hindus. They were nearly all being educated, and were attending lectures in the Government College. During the remainder of the day they were living in the hostel with us. Our work was to develop the residential side of college-life. There were societies, and games, and there was social intercourse with them in their rooms, and so on. Then there was our missionary work. We taught them the Bible if they wished to study Christianity.

45112. In the course of your work you have been brought into very close contact with Indian students, I presume?—Yes, very close, I think.

45113. The work you are now engaged upon in Calcutta is of a similar kind, I suppose?—There my work will be in a residential college, not only a hostel. There is already a small residential college. The work will be similar, except that I shall have lecturing to do as well.

45114. Is it in any way connected with the University?—It is affiliated to it.

45115. You have suggested here that the Home Service should be thrown open to Indians?—Yes.

45116. That rather lies outside the scope of our enquiries, and I will not ask you any question upon it?—I did not know whether it was included in the questions or not.

45117. In your answer to question (5) you refer to the degrading accompaniments of the patronage scheme, and you refer to this again in your answer to question (51). I take it from those remarks that you are very much opposed to the present system of nomination?—Yes.

45118. You would introduce a form of selection into the open competitive examination?—Yes, after the examination.

45119. Why is selection before the examination worse than selection after the examination?—I suppose all personal approach to the Board of Selection will be impossible. No one knows if he will be among the selected candidates; and if the selection follows the *vivâ voce* at the shortest interval possible after the written examination, I do not think the men will have the opportunity for personally approaching in any way the Board of Selection.

45120. You mean that the Board which selects after the examination will do so without making any public statement as to the order of the candidates in the examination?—Yes. I do not know that the names of the Board need be widely known. I would suggest that everything should be done to exclude every kind of personal solicitation. Each candidate would send in his papers and his testimonials, and all his records and so on, and at a convenient interval after the written examination the Board of Selection would send for him and examine him, and there would be an end of it. It would also remove one great grievance, namely, the supposed grievance that a really qualified man is prohibited from going in for his examination through his failure to get the necessary influence to secure nomination. If he is certain to come before the selection Board as a result of passing his examination, then he is secure up to the last point, independent of any personal influence. What disgusts one is the means which so many of our students have to take to get these personal introductions and recommendations to people of influence.

45121. I can understand the difficulties with regard to the Provincial Civil Service. You are proposing this, I understand, for the open competition in England?—For both.

45122. As regards the examination in London for the Indian Civil Service, your proposal is of a restrictive character as compared with the present system?—It is an effort to improve that examination by introducing other considerations than mere book-work.

45123. Would your Board of Selection be the same as the examining body?—I am not aware of what constitutes the examining body.

45124. The Civil Service Commissioners?—I would suggest a Board of Selection appointed in the best way, including Hindu and Muhammadan members.

45125. You would have a Board in India and a Board in England?—They would have to be in touch with one another.

45126. You do not think that your scheme would be open to any of the abuses of which we have heard?—If changes were made in the constitution of the Board every year, and the names of the Board were not published in advance, and the interval were short, and if the Board themselves could not be approached, I do not think there would be a likelihood of any abuse.

45127. If you changed the Board every year do you think you would get a competent body of people?—There might be some changes in it. A Commissioner has got certain posts to give, and he wishes to be approached. How else can he come to know about the equal merits of the qualified candidates? He wishes to be approached; but this Board of Selection should not be approached.

45128. Do you think this Board of Selection should be able to make judicious discrimination as between the merits of one candidate and another?—I do not see why it should not be as successful as the Naval Cadet Board. I think you can very often judge fairly successfully.

45129. Do you not think difficulties might arise if a candidate, who has done very well in his examination, finds he is not selected?—I have suggested that only the order of merit and the marks of the finally selected candidates should be published. I do not see why any more should be published. For instance, of the 150, I think 100 should be reserved for selection, and their names should be published in alphabetical order, and if you like you could give the marks of the selected 100.

45130. Do you not think it would lead to a very great deal of dissatisfaction if candidates going into the examination knew that they were never going to be informed as to how well they had done in the examination?—I am not keen that they should not be informed, if it is felt desirable that a man should know how he has passed. We shall recognise in the future that there are other things of importance besides the results of the written examination; in proportion as that side of things is emphasised there will be less discontent.

45131. It would be rather a patient kind of candidate who would feel satisfied if he had passed an extremely good examination and were cast because he had been told by the Board at the interview that he was not qualified in other ways. That is what it would amount to?—I do not feel the difficulty.

45132. If you are going to have nomination I should have thought it would be better to have it before the examination than after. It would be open to fewer abuses, would it not?—I do not see how it would be possible to avoid that degrading process of seeking recommendations which a student has to undergo now, which often results in the best men not securing recommendations.

45133. You realise that there are difficulties?—I think my scheme reduces the difficulties to a minimum.

45134. You are in favour of simultaneous examinations being held in both countries?—Yes.

I would emphasise very much the safeguards I have laid down.

45135. You told us that educated Indian opinion so far as you know it does not accept absolute simultaneous examination as the solution of the problem ?—Yes.

45136. You say the intensity and determination of the demand cannot be wisely ignored ?—A demand for simultaneous examination properly safeguarded.

45137. On what ground would you say that this demand is really based ?—I think it is the idea that the holding of the examination in England does, and is intended to, give a distinct preference to the English candidate.

45138. From what you say I gather that you are impressed with the political importance of this demand, and that you are quite prepared to sacrifice a certain amount of efficiency in the Administration in order to remove the discontent which exists ?—I have said something about the subject of efficiency later on in my answer. I think that is of importance in this matter. If we stand to lose in some aspects of efficiency we stand to gain in other aspects of efficiency. For instance, I think I have mentioned that an efficient Government means a Government which is securing the active co-operation of the people, and the Government will not be efficient until the influential classes are actively co-operating with it.

45139. What you mean is, that though there might be a certain diminution of intrinsic efficiency, the efficiency of the whole Service would be maintained by having a more contented community owing to there being greater facilities for the admission of Indians ?—Yes ; and if there were a larger proportion of Indians it would mean a bigger part of the Service which was in sympathetic touch with the people and able to secure their sympathy and co-operation.

45140. You argue in favour of simultaneous examination that you think it will be good for education ?—Yes, if the selective process sufficiently emphasises character, &c.

45141. We have had a good deal of evidence before us with regard to simultaneous examination as having probably the opposite effect on the high standard of education in this country ?—I have made a correction in my written answers which is of importance: "The institution of simultaneous examinations of the modified type suggested." I mean by that phrase to bring in the whole matter of selection. The mere introduction of simultaneous examination will be disastrous to education here : it will lead to the degradation of University examination to mere cramming work. The introduction of examinations qualified as I have suggested by this selective process, which lays emphasis on character and leadership and social standing and that kind of thing, will help education. Without that correction my statement is misleading.

45142. You mean that an indiscriminate examination would be injurious to education, because it would force an excessive number into the examination ?—No; but this, that it will have a very serious effect upon University teaching if it is to lead up to a mere written examination.

45143. How is your proposal going to counter-act that ?—What will counter-act that will be the emphasis put upon the other qualifications of candidates rather than the result of their written examination, the emphasis put upon character, power of leadership shown in the student's college career, and so on.

45144. I can understand that from the point of view of the efficiency of the Service ; but I do not follow you in your argument from the point of view of education, because by your selection after the examination you are not in any way going to check the indiscriminate flow of people into the examination in the way that nomination before examination would. You are only going to check that after the flow has taken place ?—The way I think it will have the effect which I am hoping and suggesting will be that it will be demanded of colleges in India that they shall prepare adequately for the Civil Service examination. Public opinion will demand that University colleges shall prepare them sufficiently for this examination, and such preparation will include an emphasis upon the other sides of college-life other than mere intellectual work: it will mean an emphasis upon character and so forth which will enormously improve our whole educational system. Another point which has disappeared for the moment is this. Indian higher education at present leads up to nothing but law and clerkships. What educational enthusiasm or keenness can you have in a system which has that as its ultimate end—law and clerkships ?

45145. You do not suggest any limit to the number of Indians who may be successful at a simultaneous examination ?—No; I do not at all anticipate such a preponderance.

45146. Supposing it takes place, what would you say then ?—When that day comes there ought to be a preponderance of Indians. When the British race has ceased to be able to hold its own not only in intellect but in character and grit and leadership, no fixing of a minimum will preserve our British Raj : it is gone.

45147. You do not see the necessity for putting a limit ? —No, none at all.

45148. You rely upon a Board, which you say will change every year, to secure your essential qualifications ?—I do not wish to emphasise so much the change. There ought to be a certain amount of change, and a certain amount of continuity.

45149. In answer to question (10) you say: "There is in every Indian district an increasing number of professional gentlemen who devote a large part of their time to public affairs." Can you tell us a little more about that ?—In Allahabad I know there are a certain number of Indian gentlemen, lawyers, doctors, and others, who do excellent work of the kind suggested here, who would admirably fill posts of importance on municipalities. They show real public interest.

45150. Are they going on to the Boards of Magistrates ?—Municipal Boards.

45151. Are they becoming Honorary Magistrates ?—I have not observed that so much.

45152. You have observed their work on Municipal Boards ?—Yes, from outside.

45153. You do not like the present listed posts system; you would like to see officers promoted

direct into the Indian Civil Service?—Yes, I think so.

45154. You think that the difference of status as between the listed post officer and the Indian Civil Servant should be removed?—Yes.

45155. You attach great importance to sending young Indians to attend a University course at home?—Not only a University course. I have suggested a year at the University, and that after that they should be at a Government hostel for a year in London to attend the law courts and Government offices and then spend a year under wise direction going round inspecting the work of municipalities, railways, factories, and model farms, and so on.

45156. You would give them as catholic an education as possible?—Yes.

45157. You desire that Europeans who enter the Service should have impressed upon them the high value set by Orientals on a sympathetic attitude and considerate courtesy. Do you think they are wanting in that respect?—I have very seldom observed it myself, but certainly there is a great deal of complaint from students with regard to it. Only to-day I have had a complaint brought to me. Railway travelling is a prolific cause. The complaint is very frequent. I do not think it attaches exclusively to any one class of European.

45158. You regard that as a very important point?—Yes, I do.

45159. You think that more could be done to improve that in the training of the young Civilian in his first year in India?—Yes.

45160. (*Sir Murray Hammick.*) Have you an intention of selecting also in England after the examination?—Yes, certainly.

45161. You would select amongst the candidates in England the Englishmen who go up and become successful? You would have a Selection Board there as well as in India?—Yes.

45162. Supposing you had got a great number of successful candidates as far as the intellectual examination went in India, would it not be difficult to make a fair discrimination between the moral character and the courage and the truth-telling and the perseverance and athletic capacity of the candidates in India and the candidates in England?—Some scheme of dovetailing the two would need to be worked out. It would have to be rather rough and tumble. If out of the top 150 in the result of the written examination 50 passed in India and 100 in England, the Indian Board should be told to select the best two-thirds of their 50.

45163. That is a very modified scheme of simultaneous examination. Suppose we put it the other way. Supposing there were 60 appointments vacant, and supposing in India you had 60 candidates whom you considered qualified by your intellectual examination, and they all got the necessary number of marks, and supposing in England you only had 50 who passed, would you cut out ten of the Indians in order to let in 50 of the Europeans because they had shown a higher standard in the selection?—I have not quite followed the arithmetic.

45164. Supposing you had a less number of Englishmen who were qualified at the competitive examination than you had in India, you would cut out the Indians, supposing the committee considered that their qualifications as far as these moral qualities were concerned had not come up to the standard of the Englishmen?—No. It seems to me it would have to be done in one of two ways. One would be by the Board of Selection travelling out to India, and interviewing first the English candidates and then the Indian candidates.

45165. Would it not be absolutely necessary that the same Board should judge both sets of candidates before you can get any kind of standard which would work?—I think that would be much the best way.

45166. You think you would get rid of the deleterious effect of these examinations on education, because boys will think that it is no use going up for this examination unless they have this moral training to enable them to pass the examination. Do you think in this country that would make the slightest difference, in the evil effect of instituting a huge competitive examination, on education?—I have stated what seems to me the best way to the realisation of my hopes in small print.* I should like to see a model institution in India manned from top to bottom by Englishmen. We have in England the traditions which we are wanting India to have. I would have this model institution manned from top to bottom on English public school and English college lines.

45167. You say it is imperative to alter the character of the examinations so as to make it impossible to prepare for them by a system of cramming. Are you aware that since I passed the Indian Civil Service examination 35 years ago every attempt has been made to get rid of cramming? We have been told this year that the crammers were just as successful as they have ever been.—I do not know what the cure for cramming is, but it ought not to pass human intelligence to be able to discover a way.

45168. You speak of the degrading effect of this system of getting appointments. We have heard a great deal of that everywhere; but surely the degrading effect of this system arises from the bad way in which the appointers, the men who have the patronage, behave on these occasions. Surely there is nothing degrading in asking for an appointment?—It may be that the system can be better worked. I am only criticising it as it is worked at present. Gentlemen come to me and say they have a letter about the cousin or nephew or some friend in such and such a place, and will I give an introduction?

45169. If you steadily refuse doing that you would avoid doing something which would be degrading, not to the boy, but to you?—Yes; but then I also know that the boy has no chance of getting the appointment. I think it is degrading to be asked. It is more degrading to comply; therefore I do not do so. I refuse to write the chit, and the boy does not get the appointment.

45170. As long as the thing is not done I do not think there is much degradation about the transaction at all. A parent in England has a son he is desirous of getting into some firm or a

* *Vide* page 237.

private appointment in England. We all know how he does it: I have done it myself. He writes to his friend, and asks whether such and such a person will give an appointment, and he gets his sons' masters and tutors at the college to give his son a recommendation, and his son asks for an appointment. There is nothing degrading in that system?—I would much sooner have you go in for a written examination of that kind, and afterwards meet the *viva voce* Board of Examiners.

45171. I object to the word "degrading." What is degrading is, as you say, when a boy comes to you, and you give the boy a chit knowing nothing about him. You say from what you have heard that you know the boy is a very good boy. There is nothing degrading in that. I can never see anything degrading in this system if it is properly conducted, can you?—I have not seen it properly conducted.

45172. Surely the officer conducts it properly. I have had plenty of appointments to give away in this country. I have treated it as a very unpleasant operation. One has a number to select from; but I have never seen anything in the slightest degrading about it.—I do not know how the selection is done in the end. I know every year that lots of students come to me for this kind of thing.

45173. The students come to you and ask you to give recommendations which you cannot give. The boy is a foolish boy. I cannot see that "degrading" is a proper term to apply to the system. The degradation comes in when the man gives a false certificate. That is the evil of the person who does it, and not the evil of the system?—I felt very angry when I was asked to do this kind of thing.

45174. In answer to question (10) you say: "It may be impossible to recruit them direct into the higher grades of the Service, but an increasing number of posts, such as the chairmanship of municipalities and district boards at present filed by Civilians, might well be thrown open for tenure by such persons." Your experience is only of this province. There are several provinces in India where headships of municipalities and presidencies of local boards are thrown open, and held by non-official persons: but your experience is entirely of this province?—My experience is simply of Allahabad.

45175. Do you think that the mere addition of an examination, which at the best will open 30, 35 or 40 appointments a year by competition, will have the effect of improving the prospects in this country, which at present you say are confined to law and clerkships? Would it have any effect whatever upon education?—I think it will introduce the stimulus of an honourable ambition at present lacking; and that the leading institutions of this province will be expected to provide the kind of education, moral as well as intellectual, which is requisite for this examination. I do think that.

45176. Your whole point lies in this insistence of yours that this examination is to have this other element besides mere intellectualism?—I feel what I want is that we shall discover the real test for fitness for rule in India. If the intellectual examination is not that, then discover what it is: discover it, and apply it without fear or favour to Indian and Englishman alike.

45177. I suppose you will agree that mere intellectual capacity is not the standard that should guide us?—Certainly.

45178 (*Mr. Madge.*) Why do you think that the present system suggests that the Englishman is afraid to meet his Indian fellow subjects on level terms, considering, as its history shows, that the test was originally instituted for Englishmen only, and afterwards extended to Indians?—It is the refusal to have the examination held in India which is construed, I think, by a great many Indians who have spoken to me, as the expression of the Englishman's fear that if he meets the Indian on level terms he will be beaten.

45179. You are of opinion that simultaneous examination would prove disastrous to education unless the redeeming influences you have proposed were introduced?—Yes.

45180. Consequently, if your redeeming influences are not introduced it is your frank opinion that the system will be disastrous?—Yes, because of the Indian proneness to cram.

45181. You say, "One main obstacle lies in India's lack of the kind of education which alone can develop the talent for administration." All your suggestions tend to give education that bent. Do you not think it is narrowing the scope of education if education really means leading out men in their true colours into all their surrounding circumstances? Why would you confine it to administration alone when the country is developing and most people think there ought to be independent careers, not only professions, but industrial, mechanical, engineering, and so forth? Why do you want to narrow education to the administrative issue?—I want to broaden it out into other lines than the mere intellectual; that it shall include (call it if you will) the social side, that power of leadership which I have spoken of. I want to include that and not only to have mere bookwork.

45182. Have you taken into consideration the claims of industrial development side by side with this administrative sphere?—I think a good industrial person will be all the better if he has an education which will develop the other sides of him other than mere bookwork.

45183. Have you in mind other spheres besides this one? From your answer it seems that you have directed your attention to making education such a thing as would make men qualify for administrative careers?—It is rather because I want to see a very different type of education that I welcome something which will give a stimulus.

45184. You go on to say: "If it is in any serious sense our aim to give the people of India an increasing share in the government of their own country, the institution of simultaneous examination seems imperative." You use the word "serious," and that suggests the question: Do you doubt the sincerity of those who are anxious to give the Indians a share in the Administration? What is the precise meaning of the word "serious" in this connection?—I think people may quite sincerely think that we ought not to give the people an increasing share.

45185. But I refer to people who are anxious to give them an increasing share, but who are also quite opposed to simultaneous examination. Do you think they have not thought out the matter?—The only alternative is to arbitrarily fix the proportion, against which I have given my reasons.

45186. The only reports about local self-government in this country, and the Government resolutions upon them, suggest the opinion that although in exceptional cases they have disclosed very high talents and ability, yet in most cases the thing has been run by the District Officer, and by the Engineer and the Health Officer, so that when you refer to the chairmanship of the municipality and the district board as offices that may be filled by the class of men you expect to come out, do you anticipate the education you propose would make that difference in them?—Yes.

45187. You say that the appointments should be to the Imperial Service as a whole rather than to the particular listed-posts therein. Do you object to having listed-posts at all, or do you relatively object to it?—Relatively.

45188. (*Mr. Fisher*). Would it not be rather difficult to weigh the claims of an English public school-boy against those of an Indian public school-boy?—I have said that racial distribution ought not to be disturbed. I say that because it seems to me that if the selective process results in, for instance, the exclusion of most of the Indians who have passed, it will create a good deal of discontent. I feel it be the weakest point in my proposal. I think it is the choice of the lesser evil. I think the racial proportion of the final 100 must correspond roughly to the racial distribution of the 100 which stood at the top. If there were 60 Englishmen and 40 Indians in the top 100 in the examination, there would have to be about that number in the final selection. Your business will not be to weigh the Englishmen against the Indians, but to pick out the best 60 Englishmen, and the best 40 Indians.

45189. The actual intellectual results will have a very shaping effect: it will have the most preponderating influence upon the total result?—I admit that.

45190. Are you not, under your scheme of simultaneous examination, inviting Indian candidates to undertake a course of study which is widely divergent from the course of study now pursued in the Indian Universities?—In some respects, yes.

45191. Is it not also a very difficult course of study? You are expecting them to make a special intellectual effort for which there is no very adequate training provided in India in order to win a place in the Indian Civil Service examination?—It is not only intellectual effort.

45192. But intellectual effort will have to be made, and to the best of their ability they will all wish to stand as high as possible. That being so, how can you avoid cramming? Is it not the case in England that the evil of cramming is reduced to its lowest possible proportions owing to the fact that the curriculum of the Indian Civil Service examination is closely modelled upon the curriculum at the Universities, and therefore the man steps into the Indian Civil Service without much trouble; whereas under your scheme of simultaneous examination your young Indian will have to take very special measures in order to secure success at the examination?—I am contemplating very radical changes in the Indian educational system as a result of the introduction of these examinations. That is a point which I ought to have mentioned. The Indian University career ought to lead up as naturally to the Civil Service examination as in an English University.

45193. You do not think in the interests of higher education in India that it is really a better thing for India to develop an autonomous educational system largely influenced by the West, but possessing a great number of special features more congenial to Indian upbringing and Indian environment?—I should say the Civil Service examination, in other respects than the giving of greater weight than now to Sanskrit and Arabic, ought to be altered so that the Indian candidate taking Indian subjects will have as good a chance as the Englishman.

45194. In other words, are you not really proposing a separate examination?—I do not see why there should be any more difference between the Indian who has passed largely through the help of Arabic and Sanskrit and Indian Philosophy, and the English candidate who has passed in Greats, than there is at present between the Oxford classic and the Cambridge scientist.

45195. The larger number of options the more separate examinations you have. If your scheme is to introduce a series of subjects which will be taken by Indian candidates and Indian candidates alone, and a series of subjects which will be taken by English candidates, it will not be a simultaneous examination. You will have two different sets of papers examined by two sets of examiners, in fact there will be two sets of examinations under the same name?—I think it would be no less a simultaneous examination than one which comprises both Science and Greats men.

45196. You will have one race taking up one set of subjects, and another race taking up another set of subjects?—Chiefly in Philosophy, History, and Classics. Science will be the same, and Mathematics will be the same.

45197. I suppose you admit that there will have to be a very large amount of differentiation between the subjects taken up by the Indian and the subjects taken up by the Englishman: will you not go a step further and say that in order to avoid the evil of cramming it will be better to have an examination more closely adjusted to the Indian University courses?—I would rather reverse it, and say that you must adapt the Indian University courses to the examination, or you will have cramming.

45198. Is not the alternative that you might adapt your examination to the Indian University courses?—I hope not. I do not think the present courses are good enough.

45199. In what respects?—I think they are too little Indian. Take Philosophy, a thing I naturally turn to. We start our students off with Greek Philosophy, and English and German Philosophy. All their philosophical thinking has got quite another origin.

45200. That is my point. The true line for the development of the Indian intellect is a different one from the line which is naturally indicated to young public school-boys in England. Therefore, if you introduce simultaneous examination it will absolutely falsify development. You will be twisting your Indian education into conformity with the educational ideal which has been the natural development of English conditions?—I am hoping that simultaneous examination would introduce, parallel to the philosophy course paper taken by the Englishmen, options in Philosophy which would be much more Indian. That would result in great improvements in our Indian University Courses. I cannot help feeling that this will help education here enormously. The same point applies to History as well, and possibly other subjects too. In Philosophy we start our candidates right away in Greece. If the Civil Service examination goes on better, and gives really a good philosophical examination based upon Indian Philosophy as an option to the English one, it will compel Indian Universities to enormously improve their philosophical course.

45201 (*Mr Macdonald.*) To carry on that point, is not the whole assumption that a grounding in Western philosophy is essential to the British tone of Government in this country, the whole theory of liberty, the whole relation between the governed and the governor; is not that a political deduction which is inevitable only from character and Western philosophy?—In the Civil Service examination a large number of people who come in to administer India have not taken Philosophy. I think our philosophy course should start on a more pantheistic foundation—the foundation upon which most Hindu candidates actually start, and these connect up, by differences and resemblances, with Western Philosophy.

45202. In the end does it not come to this, that Philosophy which the good English candidate should pass is the same Philosophy which the good Indian candidate should pass if they are both going to govern India?—I do not think so.

45203. With reference to your scheme there is an initial difficulty. I do not know whether I have missed any point in reading your evidence but let me put it to you: what are you going to recruit for according to your scheme, for a number of vacancies in the Indian Civil Service?—Yes.

45204. What number? Supposing you have got 60 vacancies, which we may take as the average now, what are you going to do when you set your Indian examination. Are you recruiting for the whole, or for a proportion of the 60?—For the whole of the 60, both in England and in India.

45205. I mean in India?—The 60 will be chosen equally and indifferently from candidates who take the examination in England and in India, the whole 60 may be from England, or the whole may be from India, or 30 may be from both.

45206. I am afraid I am confused in the matter. Is it your proposal in England and in India that you should have a sort of qualifying examination from which a mass of successful candidates should emerge, and that from that mass you are going to have two selecting bodies who are going to abstract 60?—I think the best proposal is that the same body should come to India. I think it is best that the same body should examine in India and in England. If that is impracticable I would say that, supposing there are 60 vacancies, and supposing after the result of the written examination it is found that 20 of the first 60 have passed in India, and that 40 of the first 60 have passed in England, then it would be for the Indian Board to select the best two-thirds of the 20.

45207. It is terribly complicated, and most uncertain in its results?—I think the latter the more cumbersome method. I think it would be best to have the same Board.

45208. Coming to simultaneous examination, I understand that since you were examined by the Chairman you have admitted that the purely intellectual stimulus which simultaneous examination would give would be good for the Indian Universities?—Yes.

45209. That intellectual stimulus would come, would it not, by bringing into your University work subjects contained in the Indian Civil Service syllabus for the competition?—Yes, and by opening up more honourable careers.

45210. Supposing the Allahabad University or the college which you contemplate, were going to educate and not to cram men, so that they could pass the Indian Civil Service examination, would not the effect of that be that the Allahabad University course and your college course would approximate to an ordinary Oxford "Greats" education?—With Indian options.

45211. The educational value would be equivalent to the Oxford "Greats"?—Yes.

45212. That would be the intellectual effect of simultaneous examination?—Not if the written examination is all that there is.

45213. Just a moment. We will take it by steps. You have got this intellectual effect. Before the moral selection takes place your man has to get into the field of selected candidates?—Yes.

45214. That being his first job, the first pressure is to pass that examination?—I think he would work for both together. If the result of the first three or four years, or the first ten years, shows that several candidates who have passed very high have failed in the process of selection, candidates will take very good pains that they are qualified by other than mere intellectual attainments.

45215. Your proposal is that the man who passes high before he is selected shall be known to have passed high?—Shall be known to have passed tolerably high. If it is 60 who pass, within the first 90.

45216. Then you reject him. Is that fair to the man?—He has only up to the present shown that he is one of the best 90, he has not shown that he is one of the best 60. The success in getting through the selection has shown that intellectually he is one of the best 90 candidates who have appeared.

45217. If he does not get into the selected 60, he does not know whether he has failed in mathematics or in character?—I am really not

certain whether he ought to be told or not how he has done.

45218. We will leave that there. Supposing you knock out your moral test, which seems to be a very uncertain thing, why do you use such strong language about the damaging effect upon Indian education of a simultaneous examination, which, so far as intellectual attainment is concerned has got to bring your University up to the level of the Oxford "Greats"?—I think it will only have a stimulating effect if more than more written work is in view. In other words, I think the Indian is stronger in memory. That, perhaps, is his biggest gift, compared with us. If the admission to the Service is to be a mere intellectual test, it will mean more cramming in India than it would in England and the evils of cramming will more than outweigh the gain in other ways.

45219. Every educational development has to be subject to that, has it not? Supposing your Senate, or whoever is the responsible authority, decides to raise the standard of Allahabad University next year, does it not imply that?—I hope it might mean less cramming.

45220. Your point is this, that a mere tightening of the University standard leads to Indian cramming?—It would, unless safeguarded.

45221. The whole of your scheme is based upon the assumption that the sort of middle class and upper class English education of the public schools and University, is the best for India?—I think so.

45222. Have you ever studied the Scotch system?—I have lived on the borders of Scotland all the while I was at school.

45223. You know the Scotch freer system; you know the sort of men that it has sent out here for the Indian Civil Service?—I was at a school of an English type in Scotland.

45224. Do you know the type of men who have come out here for the Indian Civil Service?—I do not know enough about the distinctive difference between Scotch and English to say anything about it.

45225. You do not know if the Scotch system is more adapted to the Indian Civil Service than the English system?—No.

45226. (*Mr. Sly.*) You have given us two reasons why students are in your opinion unable to go to England to compete for the Indian Civil Service examination. The first reason you said is the caste scruple. Can you give us an idea as to how many of your students are disabled from going to England to appear for the examination on the ground of caste scruples?—The three best boys I had during the last two years have all been prevented on caste grounds. I wished to see those boys go in for the Indian Civil Service examination, and if I had had to select any three, those three would have been the ones I should have chosen, but, as I have said, they were all prevented owing to caste scruples.

45227. That was in Allahabad?—Yes. They were not all United Provinces men.

45228. Do you think that that particular type of Indian, who is at the present day so strongly bound by caste scruples as to refuse to leave the country, is the real type of Indian one desires to get into the Government of India which we wish to be conducted on British lines?—It is not he who objects, it is his father. The man wants to go, but the father will not allow him. In all three cases that has been so.

45229. It is the father?—Yes, it is the father in all three cases.

45230. The boy had not sufficient strength to break away, and to convince his father of the desirability of his going?—He believed in obedience to his parents, and then, of course, the father would have had to pay for him.

45231. Under your scheme, having passed the simultaneous examination out here, he would then have to go for three years' residence in England? That would involve breaking caste scruples?—I think the bribe would be too irresistible. I asked the three men, and they said that had they passed their parents would have given way.

45232. The caste scruples of the parent would be overcome by the solid prospects of the appointment?—I went into it in some detail with these men. They said:—"My father is so uncertain as to whether I shall pass or not; and there are the uncertain conditions if I live in England, and the effect it will have upon me." They were not prepared to take the step. If they had passed, however, they were confident that their fathers would allow them to go.

45233. It was not only caste scruples, but the question of their conduct in England?—The uncertainty of final success and the English atmosphere unsupervised.

45234 The second reason you have given is the question of poverty. If they want to go up for the Indian Civil Service in England does the expenditure amount to more than a second-class return passage to England, and the cost of a month's residence in London? What is the poverty bar?—I cannot think of any of my students who have contemplated going in for the Civil Service examination without two or three years as preparation. They feel that they cannot get the training in India.

45235. If simultaneous examinations were held in India they would have no effect of any kind, unless there was a very large improvement in the education? Even if simultaneous examinations were conceded they would have no effect on the admission of Indians by the examination in India unless the style of education in India was so improved as to take the place of that three years' residence in England?—Yes that is not quite true. I think a certain number of my students could pass right away in India. Most of them would prefer to go home; but I think some of them could pass right away.

45236. In another part of your answer you have referred to the large cost of English education as a reasonable ground for giving the English-recruited member of the Service a higher salary than the Indian recruited member of the Service?—Along with the high expenses of living to the Englishman, who has his family at home.

45237 If the cost of education is so much greater in England, is it not a fact that the poverty plea you put forward on behalf of the Indian is not so strong; that the total cost of

preparing a boy for examination in England is practically as great as the cost of preparing an Indian boy with three years' education in England?—Under my system he would not go to England until he had been accepted.

45238. I am not asking that. As far as the plea of poverty is concerned, would it not cost an Indian boy as much to get into the Service under the existing system as it would cost an English boy to get into the Service?—Not quite, because the English system is more expensive.

45239. If you take it as money value the present system is more favourable to the Indian?—The Indian going home for three years has to pay less for his education than the Englishman, and therefore the Englishman ought to have higher pay.

45240. Therefore it is not such a great hardship to ask the Indian to go home to pass an examination as far as the question of money is concerned?—The relative wealth and poverty of the classes concerned is very different.

45241. Amongst your students you find a very large proportion of the ablest men who are unable to get into the Indian Civil Service on the grounds of either caste scruples or poverty?—It is my conviction that the large majority, the best qualified men, have not got into Government employ. The Government have got several who are second and third-raters.

45242. Holding that opinion, do you contemplate that simultaneous examination would lead to a substantial increase in the numbers of Indians successful?—Some increase; and it would lead to Government getting the best instead of the second best.

45243. If there is a very large proportion of the ablest men going up it would be a very substantial increase?—The men who do pass are very far from being the best; they would stand quite low down if they were arranged in the order of merit.

45244. You are judging them, are you not, from the time they left you, and leaving out of account the three years' education in England?—Yes.

45245. I am not quite clear about your recommendations as regards the age. You have fixed the age-limit at twenty-three?—All I want to ensure is that he shall have a University career.

45246. You have also given an opinion in favour of the existing system under which the Indian Civil Service is combined with the examination for the Home Civil. Do you think there is anything in the objection which has been put before us that that combination leads to a certain number of men coming out to India who went up for the examination solely with the object of getting into the Home Civil, but having failed to get that, accepted an Indian appointment as a *pis aller*, without any real liking or desire for service in India?—I cannot give you any opinion upon that point.

45247. (*Mr. Abdur Rahim.*) With regard to simultaneous examination I think you will recognise that the simultaneous examination which you propose is not the simultaneous examination which is wanted by these people, for which there is a demand in certain quarters. This is a mere qualifying examination which would give no guarantee of any appointment at all. What they want is an examination which will give them appointments, *ipso facto*? I am trying to propound a scheme by which Indians and Englishmen will be admitted on equal terms.

45248. Your proposal is a selection by a Board, with all those factors of physical and moral tests, and character, and so forth?—In my proposal the number of Indians has been fixed by the examination. The racial distribution of the selected candidates, say 100, must not differ from the racial proportion of the first 100 in the written examination. The reason I stipulated that was because I felt that if the selection does not take account of that, it will be generally supposed in India that the selective process has been used to down the Indians. To prevent that being said, I put that in. From my point of view it is a weakness that the number of Indians should be fixed by the written examination.

45249. Do you guarantee that a certain proportion of Indians would be selected?—I do not quite understand your question.

45250. Among the Indians themselves, how can selection be made? Would racial and communal considerations come in?—No. I have answered that further on. I have said that possibly in the Provincial Civil Service such things would need to be taken into account. I think in the higher Imperial Service the man to get in at all is a man of the stamp who could be trusted is such difficulties.

45251. Is it not likely to lead to considerable misunderstanding? The public will not know by what process the selection has been made. It may possibly be that some Brahmans qualify, and they are objected to; and some Muhammadans qualify and they are objected to. These things are liable to grave misconstruction?—There are to be Hindus and Muhammadans on the Selecting Board.

45252. (*Sir Theodore Morison.*) With regard to the evidence given before us this morning, it was suggested in the scheme put forward by His Honour that Indian youths should be selected after passing the Intermediate examination, by which their education in India would be stopped before they got to the B.A. course. I want to know your opinion as an educationalist, and one who is in close touch with Indian students, from which part of their education in India you think Indian students derive the greatest value: is it the School, or the Intermediate, or the B.A.?—The higher the stage, the greater its educational value. I think the M.A. is worth more than the B.A., and the B.A. more than the F. A.

45253. Do you think the two years' study for the Intermediate is of the same value as the two years' study for the B.A.: or do you put the higher value for the B.A.? I quite acknowledge that the results are very different?—I think the student who has only taken the F. A., and not the B.A., has missed that part of Indian education which would best fit him for this work. There is a great difference in the quality of work, apart

from the difference in standard in the B.A. as compared with the F.A.

45254. He does not get the benefit of the lower training until he has taken the B.A.?—That is so.

45255. (*Lord Ronaldshay.*) I need not ask you whether you attach the utmost importance to this selection on the grounds of character, as you have already told us that you do. At the same time, would not the selection of character be restricted in your examination by order of merit. It seems to me that the selection on the grounds of character might not come in at all. Supposing you had 40 vacancies under your scheme, and you selected 60 qualified candidates: if the first 40 happened to be Englishmen and the next 20 Indians, your Selection Board would have nothing to do?—Under those very improbable circumstances, it would have nothing to do.

45256. (*Mr. Fasih-ud-din.*) Are you aware of the rules for the appointment of Deputy Collectors?—No.

45257. You are not aware that the Lieutenant-Governors elect on grounds other than mere recommendations?—I am not aware of the details of the rules.

45258. You say that the result of the working of the present rules is very unsatisfactory: have you come across the work of any Deputy Collectors?—No, not sufficiently to be able to speak with regard to it.

45259. You state that the proportion of pay which the Provincial Civil Service men should get should be two-thirds of the pay drawn by civil servants in the same post: is that your opinion?—Only if simultaneous examinations are introduced.

(The witness withdrew.)

SYED RIZA ALI, ESQ., B.A., LL.B., Vakil of the High Court.

Written answers relating to the Indian Civil Service.

45260. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle? (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—[1 & 2] Subject to what I have stated in reply to questions (7) and (8) I think the present system of recruitment by open competitive examination in England for the Indian Civil Service is generally satisfactory.

45261. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system places almost insurmountable difficulties in the way of "Natives of India" desirous of appearing at the open competitive examination. Intellect is not the monopoly of the rich. On the contrary in this country where "sharafat" (good birth) and wealth are not synonymous terms it generally happens that the rising men come from the middle classes, often poor. Other considerations apart, the cost alone is prohibitive. Some witnesses have stated before the Commission that it would not be advisable to make the successful candidates spend the period of probation in India because it might lead to some of the best men refusing to come out to India and run the risk of being rejected. Much more difficult should it then be for young Indians having some little money to spend nearly all they have on the remote chance of their succeeding in the competition.

45262. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think the combination of the open competitive examination for the Home and Colonial Civil Services with the Indian Civil Service is to our advantage because that gives the best men an opportunity of choosing the Indian Civil Service. However, having regard to the manner in which our countrymen are treated in some Colonies, I am strongly opposed to the Colonials being allowed to occupy responsible posts in our country. We would rather go without the best intellect than suffer the humiliation of being ruled by the Colonials in our own land and insulted in theirs.

45263. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty? (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend? (8) If you do not approve of simultaneous or separate examinations in India are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle? (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India, in India, do you consider that "Natives of India" should still be eligible for appointment in England? (10) Would you regard any system of selection in India, which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil

Service?—[5 to 10] I do not consider the present system of recruitment by an open competitive examination to be satisfactory. In spite of the great advance in education and other matters made by Indians during the past 25 years, the doors of the highest service in the land practically remain closed against them. The system calls for an immediate reform, if it is desired to satisfy the legitimate aspirations of our countrymen. Every important section of the Indian population is dissatisfied with the present system. But I am not prepared to advocate a system of simultaneous examinations in India and England. My reasons are:—

(a) It is absolutely necessary that for a number of years to come the character of our administration should, to a very large extent, remain British. Simultaneous examinations would lead to the service being swamped by Indians which is not desirable.

(b) The presence of a large majority of Indians in the Service might lead to its ceasing to be attractive to the right type of Englishmen.

(c) Wholesale competition would retard the progress and development of important communities, for instance, the Muslim community, and would tend to place all power in the hands of those whose chief qualification is that they know best how to pass an examination.

I am strongly of the opinion that in the present state of our development it is most desirable that all important classes and communities should be represented in the Indian Civil Service. Taking things as they are in India, the community that does not supply men to the said service is placed at a considerable disadvantage in numerous ways. Representatives in the Legislative Councils can only make suggestions. But the almost entire constructive work is done by the members of the Civil Service. One Collector and Magistrate exercises greater influence than 20 millionaires put together. Besides, it is also to the interest of the State that power should not drift into the hands of one class of people only. Considering all the points I would recommend that "Natives of India" should fill a fixed proportion of the vacancies in the Indian Civil Service by means of a separate examination to be held in India. Out of every ten vacancies I will not give more than 4 to "Natives of India." I will apply a system of limited competition to the vacancies to be filled in India. Let me explain my idea by an illustration. Suppose in a particular year there are fifty vacancies altogether. Thirty should go to the candidates who have obtained the highest number of marks at the examination held in London. Out of the remaining twenty posts I will give twelve to the successful candidates in order of merit, three to the land-holders and five to the Mussalmans as a result of the examination to be held in India, taking care that the candidates supplied by the land-holder class and the Muslim community do obtain a certain number of marks requisite for passing the examination. If among the twelve successful candidates there are two land-holders and four Mussalmans I will take eighteen men from the competition list; and will appoint one land-holder and one Mussalman (assuming that they have obtained the requisite number of marks) to make up the total number twenty. If in any year no land-holder or Mussalman passes the examination I will throw all the twenty posts open to competition. In case the thirty successful candidates at the examination in London include five Indians, the number of posts to be filled as a result of the examination in India will be reduced to fifteen. It would be seen that by Indians competing for the Indian Civil Service in London, the interests of the British candidates will not be affected in any way. Of course the examination will be held in India after the results of the examination in London are out. I consider it very important that the examination in India should be conducted entirely by the Civil Service Commissioners and no man in India should have anything to do with it.

It may be urged against my scheme that it accords preferential treatment to the land-holders and Mussalmans. In reality this is not so. Mere book knowledge is not the only or a very safe test of a man's administrative capacity. Sir Antony (now Lord) MacDonnell introduced into these provinces a system of competitive examination for admission to the Provincial Civil Service. Before the introduction of this system appointments used to be made by nomination; and the nomination system was resorted to shortly after Sir Antony MacDonnell had left the Indian shores. And nobody will venture to say that Sir Antony MacDonnell's competition men proved themselves superior to the graduates appointed by nomination. But granting that my scheme places the land-holders and Mussalmans in a slightly advantageous position, I fail to see why it should be considered a lamentable thing. No scheme of advancement can elevate India as a whole which fails to take stock of important classes and communities living in its heart. Nobody asks that this supposed preferential treatment should last for ever. Education is a great equalising force in modern times. All the communities in India are trying to thoroughly equip themselves with it. The supposed preferential arrangement can be done away with as soon as it is found that inequalities, judged from an educational point of view, no longer exist. It is a part and parcel of my scheme that candidates appointed as a result of the examination in India should spend a probationary period of two years in England. If candidates are recruited by means of a separate examination in India I think it will be necessary to discontinue the present system of promoting to listed posts officers of the Provincial Civil Service.

45264. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—The present method of appointing junior Civilians having little experience and less knowledge of the law to important judicial posts is open to grave objection. I regret to say that a large number of European members of the Indian Civil Service have not proved themselves good Judges. The ignorance displayed by many of them of the elementary principles of the law and procedure is appalling. Yet at an early stage

of their career they as Sessions Judges try prisoners for a capital offence, and as District Judges manage to set aside in half an hour the decree and judgment of a Subordinate Judge, who has had probably about 20 years' experience on the Bench besides some years' practice at the Bar. The Judicial branch of the Indian Civil Service being looked upon as somewhat inferior to the Executive branch, the officers who are made Judges have generally no enthusiasm for work left in them. A very small proportion of them indeed study the law reports or other books on legal subjects at their homes. Some of them make no disguise of their contempt of "legal quibbles." Litigation is on the increase in almost every district and the main idea by which they are guided is to get through the day's work. I think the main reason why under the circumstances mentioned above they were able to do their work is that most of them possessed a fair knowledge of the language of the province. But of late years this knowledge has slowly but steadily deteriorated; and the spectacle of a Judge turning to his reader or the counsel working in the case to hear an English translation of what the witness under examination has just stated is by no means uncommon. If this deterioration is not checked I do not see how European members of the Indian Civil Service will find it possible after some years to discharge the functions of their office as Judges. My idea is that only those men should be transferred to the Judicial branch of the Indian Civil Service who have some aptitude for the office of a Judge and are thoroughly acquainted with the language. The ultimate aim should be to recruit for the higher grades of the Judicial service entirely from the successful Barristers and Vakils of the High Court. But a start should be made by appointing Vakils and Barristers of distinction to half the vacancies that may take place in the future. In particular, I would suggest that the posts of the Legal Remembrancer and the Government Advocate in these provinces should be held by Indians. I am also for giving one-fifth number of posts to the members of the Judicial line of the Provincial Service. I consider that the minimum proportion of European subjects of His Majesty employed in the higher posts of the Judicial branch should be one-fifth but no Civilian should be made a Judge unless he has worked for two years as a Munsif and for three years as a Subordinate Judge.

Separation of Executive and Judicial functions.

I believe the separation of Executive and Judicial functions is a matter of greater concern to the people of the country in general than any other question. The anomalies and defects of the present system have been pointed out so frequently that I do not propose to repeat them. I would content myself with making a few practical suggestions concerning a moderate scheme for our provinces that does not weaken the authority of the executive officers in any way. At present both the revenue and criminal work is done by the same officers, generally known as "Deputy Collectors." They are very hard-working officers and most of their time is taken up by criminal cases. Perforce rent and tenancy cases are decided in a most perfunctory manner. It seems hardly credulous that every Deputy Collector should have on his daily cause list something like ten to twenty rent and revenue cases to the trial of which he cannot give more than two hours, even if so much. It is also well known that parties to criminal cases are subjected to great hardships by being dragged from one place to another when a Deputy Collector is in camp in the cold weather. It may be that some rent and tenancy cases involve an inspection of the locality; but there is no justification for criminal cases being tried in camp in the interior of the country without roads and many miles away from the head-quarters of the district. Besides, the inconvenience litigants have to spend a great deal on taking Pleaders out on a daily fee. My suggestion is that the Executive branch of the Provincial Civil Service cadre should be divided into two groups: one group to consist of Magistrate and the other of Assistant Collectors. Magistrates should try criminal cases and Assistant Collectors should decide rent and revenue cases. There should be no differentiation between the conditions of service of the two groups. Of course both groups will be responsible and subordinate to the District Magistrate and Collector in the same way as now. If this suggestion is accepted, Assistant Collectors will be free to devote their whole time to cases under the Local Land Revenue Act and the Tenancy Act with the additional advantage that the Magistrates will be enabled to stay at the head-quarters of the district in cold weather. Of course this scheme need not be considered if we are going to have the separation of Executive and Judicial functions.

Efficiency of Indian Executive officers.

In my view there is no real justification for the charge that Indian members of the Indian Civil Service have not proved successful administrators. I am free to admit that European Civilians have the advantage on their side of holding a position of impartiality as between different classes inhabiting the land. But European superior officials are themselves responsible if they receive constant complaints against Indian Administrators. I am afraid the truth is that an Indian District Officer does not receive the same support from his superiors as is extended to his English comrade. If a *Rais* belonging to a district ruled by an Indian officer calls on a high official, the question "How are you getting on under your new District Officer" will in all probability be put to him. Now what do those inquisitorial proceedings mean? Small wonder if misguided persons feel encouraged into complaining against their District Officer in and out of season. The head of a district has to displease many people; he has to disappoint many more. If he happens to be a European, the disappointed and the discontented secretly pray to God for his transfer. But if he is an Indian the disappointment manifests itself in the shape of complaints, oral and written, to all superior officers who would lend them a credulous ear. It should not be supposed that there are no complaints against a European collector and magistrate. Complaints of course there are and perhaps quite as plentiful as

against an Indian officer of the same rank. The only difference is that in one case people think that the safest course is to suffer in mind; in the other there is an attempt at revolt against authority under the consciousness that it is not deep-seated. As regards the Provincial Service men raised to a position of responsibility failing to rise to the occasion, I am afraid that in some cases the selection has not been very happy. It is also to be remembered that Indians have not the same opportunities for training as Europeans have. They are not very welcome at the Secretariat which is the real seat of power. I do not see any reason why, for instance, the Judicial Secretary or the Financial Secretary to the Government of the United Provinces should not be an Indian. I do not propose that the Indian element should dominate the Indian Civil Service. On the other hand, as I have already said, my view is that the character of the administration should, in a large measure, remain British. And with a view to secure that I propose an irreducible minimum of 60 per cent. European officers in the Executive branch of the Indian Civil Service.

Unfortunately there is a rather acute tension of feeling between the Hindus and Mussalmans in these provinces. As a result it is possible the followers of one faith might have something to say about officers belonging to another faith. Cases are not unknown in which questions were put in the Council concerning the doings of Indian officers where there was nothing remiss. But it would not be right to infer from this that the officers in question are not competent.

Recruitment for the Provincial Civil Service.

The rules for the recruitment of the Provincial Civil Service (Judicial as well as Executive branches) in force in the United Provinces are fairly suitable. But after all the success of any set of rules depends, in a large measure, on the manner in which they are enforced. The United Provinces are the heart of Muslim civilization and influence, and any apportionment of posts on the basis of mere numerical strength can never be right. While the Muslims have got their due share of posts in the Executive branch, I am afraid their number in the Judicial branch is objectionably low. There is no dearth of qualified Mussalmans in these provinces at any rate. But in the matter of appointment to Judicial posts they are not looked upon as a distinct, homogeneous community second only to the Hindus, but are treated as a caste like the Kayasthas and the Brahmans. All candidates for employment in the judicial line are graduates in law or have passed an equivalent law examination. There is no standard of judging their fitness. The result is that the caste or sub-caste that can send up the largest number of candidates is the greatest gainer. I would suggest that 40 to 45 per cent. appointments should go to the Mussalmans. The preponderance of one community in the Judicial branch of the Service is prejudicial to the best interests of the country as well as of the State. Under the existing rules three years' practice at the Bar is necessary before a man can be appointed as a Munsif. By that time a man of more than average ability is generally earning enough and does not care for Government service. The consequence is that, with a few exceptions, men of inferior ability apply for admission to this branch of the Service. To some extent this objection would be removed by cutting short the period of practice to eighteen months. In my view the recruitment for a Provincial Civil Service should be restricted to residents of the province to which it belongs. I have no suggestions to make regarding the training and probation of officers.

45265. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—[13 to 15] I would put the age-limits for all candidates, whether examined in London or India, between 21 and 23 years, at the same time extending the period of probation to two years.

Bearing in mind the difficulties under which our countrymen labour in having to compete with English candidates in an examination conducted in a foreign language which they have to master, my suggestion is that the age-limit for Indians should be one year higher than that fixed for Europeans.

45266. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination? (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—[16 & 17] In the syllabus of subjects I find 1,100 marks allotted to the English composition and the English language and literature. In justice to Indian candidates I would recommend that the principle languages of India should be included in the syllabus and a similar number of marks allotted to them.

45267. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I am not in favour of reserving by statute any posts for officers recruited to the Indian Civil Service.

45268. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I am not in favour of reviving the old system of appointment of Statutory Civilians, or of recruiting military officers in India for posts in the Indian Civil Service.

Amended reply to question (21).

In continuation of my scheme, suggesting the introduction of a separate examination to be held in India, I would like to add that if for any

reasons it may not be considered feasible to hold a separate examination in India, the least that should be done—though that will not, to any appreciable extent, satisfy the legitimate Indian aspirations—is to give effect in an amplified form to the spirit of the rules framed in 1879 whereby one-sixth of the total Indian Civil Service cadre was thrown open to Indians to be recruited in India. I know it has become a fashion to condemn the statutory system in no measured terms. But can anybody conscientiously say that it was the fault of the system rather than that of the manner in which statutory civilians were recruited that led to the said service being discredited in the estimation both of the people and the Government? The very rules that brought into being the statutory civil service aimed, perhaps unconsciously, at sapping its very life blood. The rules laid too much emphasis on high birth, social position, and general influence. Naturally the experiment came to grief. But it cannot be denied that, in spite of the principles underlying the rules being defective and faulty, many of the statutory civilians have held their own against distinguished members of the Indian Civil Service; and the high quality of their work will not for some time be approached by the flower of the Provincial Service men. The Public Service Commission of 1886-87 did a grave injustice to the just claim of Indians to be more extensively employed in higher posts, by recommending the abolition of the Statutory Civil Service. We are not required to go far to find that this has been really the case. The total strength of the Indian Civil Service cadre in our provinces on the 1st January 1913 was 244. If the proportion sanctioned by the rules of 1879 were allowed to continue, something like 41 posts would have been held by our countrymen to-day. The number of listed posts occupied at present by the Provincial Service men as well as the Statutory Civilians is 20: which means a net loss of 21 prize posts. If we deduct from 20 the seven posts of Joint Magistrate that have been amalgamated with and merged into the various grades of Deputy Collectors, our loss goes up to 28. I would strongly recommend that in any system of recruitment in India the share of "Natives of India" should not be less than 30 per cent. I have reduced the Indian's share by ten per cent. in the hope that something like that number will enter the Service as a result of the competitive examination in England.

45269. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I am decidedly of the opinion that there has been a deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. The causes are:—

(*a*) Facilities in the conditions of leave lead to their spending the leave in Western countries.

(*b*) The spread of English education has reduced their opportunities of speaking the vernaculars.

(*c*) The increase in the office work does not leave them much time to devote to this object.

With a view to their attaining an adequate proficiency in the study of the Indian languages the standard of the departmental examination should be raised and a compulsory system of *viva voce* language examination introduced.

45270. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—I have already dealt with the case of the officers selected for the Judicial branch. As regards officers of the Indian Civil Service in general, my suggestion is that they should be required to keep a certain number of terms within the first five or six years of their appointment, attend the law courts and do the reporting of cases.

45271. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch? (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—[38 & 39.] The special training recommended has already been described.

45272. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think that any differentiation is desirable.

45273. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The candidates recruited in India by means of a separate examination should be made to spend two years in England—preferably at a University.

45274. (42) Is any differentiation necessary in regard to the probation aud training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation seems to be necessary.

Written answers relating to the Provincial Civil Service.

45275. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Reverting to what I have said about the paucity of the Mussalmans in the Judicial branch of the Provincial Civil Service; I give below a statement that would

show how their number has been steadily decreasing:—

TABLE.

Year.	Subordinate, Assistant, and Small Cause Court Judges.				Munsifs.			
	Total.	Hindus.	Moslems.	Europeans and Eur-asians.	Total.	Hindus.	Moslems.	Europeans and Eur-asians.
1886	36	20	15	1	99	51	47	1
1892	37	23	12	2	94	57	36	1
1913	46	37	9	..	106	77	27	2

It is not true that qualified Mussalmans cannot be had. The Moslem community in these provinces has made a great advance in education during the past twenty-five years. A very large number of graduates in Law are turned out every year by our colleges, notably the Muhammadan College at Aligarh. What then is the real cause of a steady decrease in the number of Mussalman judicial officers? As I have already remarked, the Mussalmans are treated as a caste; and though I understand there is a provision in the rules for due regard being paid to the representation of the various sections of the people, it seems to have been so far more honoured in its breach than observance. This hardship to the Mussalmans can be obviated by opening a separate list of Muhammadan candidates and giving two posts to the candidates on this list in order of seniority for every three posts going to our Hindu fellow-countrymen. I know some promising young Muhammadans who could not get appointments, because, though their names were down in the list of candidates, they were made to wait so long that they became ineligible under the 'age-limit' rule. It would be interesting to note that of the forty-six Subordinate, Assistant and Small Cause Court Judges, and a hundred and six Munsifs, as many as six posts in the former class and fourteen in the latter are held by Bengali gentleman. This seems to me to be pre-eminently a case in which the cry "United Provinces for the United Provinces people" should be raised.

45276. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Considering that under the scheme known as "the Greeven Scheme," as sanctioned by the Secretary of State for India, the pay of the highest grade of Subordinate Judges has been raised to Rs. 1,000, I think it would go a long way to better the prospects of the Executive branch of the Provincial Civil Service if the pay of the first grade Deputy Collectors is raised similarly. The pay of Munsifs is too small to attract men of the right type. The lowest pay, I think, should be not less than Rs. 250, which is just the pay allowed to permanent Deputy Collectors serving in the last grade. The pay allowed to the officiating Munsifs is Rs. 150, which again is very low considering that it takes about two years to be confirmed as a Munsif; and that during this period they are appointed off and on to brief casual vacancies. I need hardly say that it is extremely difficult for a man to assume the *rôle* of a practising lawyer during the period that necessarily intervenes between the expiry of his last and the beginning of his next appointment. Having regard to all these points I would recommend the pay of the officiating Munsifs being raised to Rs. 200.

SYED RIZA ALI, called and examined.

45277. (*Chairman.*) You are a Pleader of the Allahabad High Court?—Yes.

45278. And you are a member of the Legislative Council of the United Provinces?—Yes.

45279. You have sent in an *addendum* to your written answers?—Yes.

45280. You are much impressed with the difficulties which beset Natives of India in appearing at the examination in England?—I think the difficulties are very many.

45281. You do not propose to remedy this by the institution of simultaneous examinations?—I am in favour of a system of simultaneous examination. My system is rather modified. I am not in favour of simultaneous examination pure and simple.

45282. You are not in favour of that because you see no security that Indians would get in in sufficient numbers, and that the various communities would be properly represented?—That is so; all the classes will not be properly represented. Their proper representation is, I think, very essential in the present state of affairs.

45283. You prefer to reserve two out of every five vacancies in the Indian Civil Service to be competed for by an examination in India?—Yes, 40 per cent.

45284. And that examination will be subject to a minimum educational qualification—Yes, I should think so. I believe all those persons who have taken their B.A. degree should be allowed to appear at the supplementary examination which is to be held in India after the Indian Civil Service examination in London.

45285. Would you have nomination coupled with examination?—Not at all.

45286. You would have it quite open?—Quite open to all classes and communities, with equal facilities and equal numbers.

45287. You think the Muhammadans would get their fair share of success in the examination?—Yes. That is exactly the reason why I have given something like a detailed scheme in my answers. I have submitted that if Muhammadans do not have a fair share in the result of the examination then a certain fixed number of Muhammadans should be taken subject to the condition that they do pass the examination and that they do attain a minimum number of marks which should be fixed for that examination.

45288. Will not that necessitate some form of selection?—Not at all. According to my scheme I take the topmost men among the Muhammadans. Whatever the number may be, if so many succeed in the supplementary examination in India, so far so good. If they do not, provided they have passed the examination, those Muhammadans who have passed should be taken in order of merit amongst themselves.

45289. If they do not come out high enough

in the list in order to get your proportion you would place them over the heads of members of other communities who had got more marks?—That would be the result, no doubt. The Muhammadans getting a less number of marks than the Hindus will have to be taken under the scheme.

45290. Do you see a weakness in that?—I do not see any hardship. There may be a hardship to the individual; but if we want to be just and fair to the community, we must do some slight harm to the individual.

45291. This would be an examination approximating in standard to the examination in England, and it would be conducted by the Civil Service Commissioners?—Just so.

45292. You say also that candidates appointed as the result of examination in India should spend a probationary period of two years in England. That would be the minimum period?—Yes, two years would be the minimum period.

45293. You would not object if that period were extended to three years?—I should be glad to have it three years.

45294. In your additional notes, failing the adoption of the scheme you propose, you explain that you would revive the Statutory Service?—I believe that the Statutory Service which I have recommended is not very different from the recruitment I have suggested by way of holding a separate examination. What I mean by reviving the old Statutory Service is that Indians have been very severe sufferers. The Commission of 1886-87 did away with one-sixth of the number of posts that were allotted to Indians. If that system were continued there would have been 41 Indians in the Indian Civil Service to-day in these provinces, the total number being 244, one-sixth of 244. Whereas, as a matter of fact, we find that there are only 20 Indians. So that is the reason. I do not think one-sixth is sufficient in these days and I do not think that Indians will be satisfied with one-sixth; they will not be satisfied unless they get at least one-third.

45295. The adoption of this scheme would entail a combination of nomination and selection?—Yes, nomination and selection. Nomination and selection, I have submitted, is an inferior thing. Failing to have separate examination, I would rather have that than nothing at all.

45296. In your answer to question (11) you complain of the lack of knowledge of the law shown by members of the Civil Service?—Yes.

45297. You recommend that half the appointments of District and Sessions Judges should be given to Barristers and Vakils of the High Court?—That is what I have suggested.

45298. Do you think that successful Barristers and Pleaders would be easily induced to take these positions?—I believe that those who were very successful would not care to do so; but those who are in a fair practice, and those who have no love for the arduous work which is necessary for Barristers, perhaps they will be induced to take up District and Sessions Judgeships.

45299. Do you think they will be sufficiently qualified to undertake the work?—I think they will be.

45300. You have made a curious complaint with regard to some of the Civilian Judges. You say they have a contempt for legal "quibbles." Do you regard this as a defect?—That depends upon the point of view from which you look at it. That was exactly the word used by a certain Judge. I was arguing a case, and that was the word used. I know that there were some points of law concerned, and the Judge did not trouble himself with that point of law. He wanted to decide the case on the facts, and he said; "I do not care for legal quibbles."

45301. In answer to question (11) you have referred to the separation of the Executive and Judicial functions, and you appear to suggest that separate officers should do different classes of work, but you say that both groups should be responsible and subordinate to the District officer?—No, I do nothing of the sort. As a matter of fact, you will find in the opening remarks that I say, "I believe the separation of executive and Judicial functions is a matter of greater concern to the people of the country in general than any other question." I hold very pronounced and very strong views on the subject. I think this is a reform which is already overdue, and, as a matter of fact, the mass of the people will be better pleased with it than with anything else. Personally, I should say that if the deliberations of the Commission lead to this and nothing else, and that we get a separation of the functions of the Judicial and Executive, I should be perfectly satisfied.

45302. You have considerably altered the view expressed in your original note, where you say that the functions should be carried out by different officers, but that both should be under the District Magistrate and Collector in the same way as now?—When I made that recommendation I assumed that we should not have the separation of the Executive and Judicial functions. This is a very modified and innocent scheme. Your Lordship will find that towards the end of the scheme I have said this; "This scheme need not be considered if we are going to have the separation of the Judicial and Executive functions." I state that very clearly.

45303. Is there not a tendency to differentiate this work now, especially in the larger districts?—I do not think so. I know there is only one class of cases which are given to a separate officer. In some districts one officer is appointed to do that class of cases alone, namely, revenue partition cases. I do not think there is any tendency to differentiate between the two.

45304. In answer to question (11) you say that whilst Muhammadans have their due share of posts in the Executive branch, you do not think they have their full share in the Judicial branch?—Exactly.

45305. You quote figures here?—Yes. I have appended a statement, and the real state of affairs. I have taken three years, 1886, 1892, and 1913.

45306. What ratio do these figures bear to the population of the United Provinces?—The Muhammadan population in these provinces is not very high. It is rather low. In my written statement I say that these provinces are the home of the Mussalmans, but if a numerical test were applied it would be wrong. A very large number of those who are nominally the class of Hindus do not care for Government

service. That being the case, only those classes of Hindus should be taken into consideration who do enter Government service. Taking the nominal proportion of the Muhammadans the number is very low, but taking the whole population the number is very high.

45307. You ask for 40 to 45 per cent?—I do. In 1886 you will find, as a matter of fact, that the proportion which the Muhammadans bore in this branch of the Service is that out of 36 Subordinate Judges there were 21 Hindus and 15 Muhammadans. Out of 99 Munsifs 51 were Hindus and 47 Muhammadans.

45308. If you have 40 to 45 per cent. of appointments this will be in excess of the proportion of Muhammadans in the province?—It will not be in ratio of population.

45309. It will be in excess?—Yes. I think all the facts justify that. Muhammadans, as a matter of fact, care for Government service. Very few Muhammadans are traders, and I think still fewer belong to the community of craftsmen. Most of them from early times have looked forward to Government service. That may be a good thing, or a bad thing, but the fact is that a very large proportion of them go in for Government service.

45310. Anyway, you put forward a very big claim for Muhammadan representation, do you not?—Yes; and I believe that is justified by facts.

45311. (*Lord Ronaldshay.*) You are a member of the All-India Moslem League?—Yes.

45312. Were you present at the Annual Sessions of the League the other day?—I was not, I could not go.

45313. Can you tell us whether the sort of scheme for the recruitment of Indians for the higher service which you put forward in your paper is the kind of scheme which the All-India Moslem League would support?—As a matter of fact that is more than I can say. What I can say is this, that Muhammadans hold the same views. I do not think there is absolute unanimity amongst Muhammadans on this subject, as a matter of fact. There are very few questions upon which there can be absolute unanimity. A very large number have gone in for simultaneous examination. There are others who are for having a separate examination; and I believe those who hold the latter views are mainly actuated by the fact that if we have simultaneous examination then the Muhammadans' share would be represented by zero. The feeling all over the country is for simultaneous examination, so that Muhammadans should not be excluded.

45314. I ask you that question because the All-India Moslem League have kindly supplied us with copies of the resolution which they passed, and with regard to this question their resolution appears to be rather a vague one. They hope the Royal Commission will be able to devise a system of recruitment equally suitable to the various sections of His Majesty's subjects in India and in Great Britain. That is why I asked you whether what you propound here is the sort of scheme they have considered?—I daresay it is. It represents my views, and the views of a considerable number of Muhammadans. I believe the Vice-President of the League is going to give evidence on the 5th, and he will be able to give you details as far as the League is concerned.

45315. (*Sir Theodore Morison.*) You are suggesting a very generous plea for Muhammadan representation. Has that ever been supported by any Government officials in this country?—Yes, I believe it has been We have been allowed a separate representation. It is exactly on the same basis.

45316. With regard to these provinces?—That depends. That is what has been done up to now. It depends more or less upon the attitude taken up by the Head of the Local Government. I believe Sir Auckland Colvin was half-and-half.

45317. On what plea?—On exactly the same plea I have ventured to advance before the Commission.

45318. Do you remember what Sir Auckland Colvin said?—I can paraphrase his words.

45319. I think you have already paraphrased them?—I believe Sir John Hewett also held the balance between Hindus and Muhammadans as far as he could.

45320. With regard to the small number of Muhammadans in the Judicial branch, can you tell me how many Mussalmans have applied recently for the post of Munsif?—I am not in a position to tell you that, but I know of two persons. I believe one of them held a very good career at the Law examination. He stood second, and he applied for admission as a Munsif. The rules for the recruitment to the Provincial branch of the Judicial Service are that the man at the time of his appointment must not be over 30. This man, who was a very suitable candidate, was over 30 before he could get his first appointment.

45321. Let me amend my question. How many Mussalmans have applied for the post of Munsif within the last five years who satisfied the rules and conditions laid down, but have been refused?—Every man has satisfied the rules.

45322. How many were refused?—The real difficulty is this. One community, the Kayasthas, form a large number of the Judicial Service. They are able to send up 20, whereas the Muhammadans send up 5. Naturally 20 have a better chance than five. Out of 20, 5 are taken, and out of the 5, 3 are taken.

45323. Do you know instances of many Muhammadans having applied and having been refused?—There are those two cases I have mentioned. Both of those men applied.

45324. One was not qualified according to the rules?—He was qualified at the date he applied; but having got an appointment he became ineligible by operation of the age-limit rule. Both of them were qualified.

45325. You lay great stress upon the probation in England?—Yes.

45326. It has been suggested to us in other places that residence in England is of rather doubtful value. I should like to ask you (I have asked the question several times elsewhere), do you think that men who have gone to England have on the whole done better, and turned out more useful to their community, and men of greater force of character and originality than those who remained in India, and never had any education in England?—The thing is, they will go

to England after passing that separate examination. That is a very sufficient guarantee against qualifying themselves still further in England. I am afraid a very large number of those who have gone to England have not been very successful. The reason of that is that the educational qualifications of those persons who have gone to England up to now have been very low.

45327. I want to know this: do you think on the whole that they have been as useful as those who have remained behind?—Those who have gone to England after properly qualifying themselves here have been very useful.

45328. I have even heard it suggested that these Muhammadans who have been most successful in their community, and have had the greatest effect upon the minds of Muhammadans of this generation, are men who have never learnt any English at all?—That is so; but those days are over, and the time has gone. Now, leaders, and those who most influence Muhammadan thought and life, must know English. That is a fact. I believe, so far as what you suggest, the day is over.

45329. With regard to your answer to question (17) you say, "In justice to Indian candidates, I would recommend that the principal languages of India should be included in the syllabus and a similar number of marks allotted to them." Would you like to see Indian vernaculars or Indian classics figure more largely in Indian education in the present day?—I would very much like it.

45330. At the Indian Universities?—Yes, at the Universities also. As the conditions are, I am sorry to say I think that matter has been totally neglected. That being the case there is no reason why higher places should not be assigned to them than has been the case up to now.

45331. At the Aligarh University you would have Sanskrit and Urdu much more largely taught?—In Aligarh they take good care to keep the standard high. As a matter of fact, I should like to introduce these subjects into every University curriculum.

45332. (*Mr. Abdur Rahim.*) Is education making rapid progress in these provinces?—Yes, very rapid progress.

45333. Can you tell me how many Muhammadan graduates are turned out every year?—I know that more than 100, something like 125, go up from Aligarh alone, but I cannot be quite accurate as to the figures.

45334. I mean the successful men?—The general proportion is half-and-half: more than 50 per cent. on the whole succeed.

45335. Do they obtain high places at the examination?—Yes, some of them attain very high places.

45336. Do you find, say, among the first half dozen, some Muhammadans appear every year in the M.A., or B.A. list?—I think the B.A. standard is a peculiar one, and not many come out in the first division. It is rather difficult to say about the first six.

45337. Take the B.Sc.?—I do not think they do very well in the B.Sc., but in the B.A. I think they do sufficiently well.

45338. There was competition here for the Provincial Civil Service, was there not?—Yes and it continued up to 1903.

45339. Did any Muhammadans succeed?—Only one Muhammadan succeeded. He was in the Aligarh College. He headed the list. No other Muhammadan has succeeded. There was another Muhammadan who was supposed to have entered the Service through the open competition. I hope I am not disclosing an official secret when I say that he did not obtain a very high number of marks; but it was thought proper to take him on.

45340. The gentleman you are mentioning was nominated, or selected out of the candidates who appeared for the competitive examination: he did not get in by competition?—He is supposed to have got in by competition, but the number of marks he obtained was not sufficiently high. He is supposed to have been there by the right of having passed a very stiff competitive examination; but, as a matter of fact, that is not so.

45341. You told Sir Theodore Morison that you would like to have more Oriental subjects taught in the University. I suppose you would like to see the Allahabad University much more orientalised?—I will not use the word "orientalised." I think the present character must be maintained. If by orientalising you mean that greater care should be paid to subjects like Sanskrit, Arabic, and Persian, and the chief vernacular of the country, Urdu, I am for it.

45342. But those subjects find a place in the curriculum now?—They find a place in the curriculum, but I do not think sufficient emphasis is laid upon them. When boys reach the eighth standard those who take up appointments are taught vernaculars even in the Matriculation standard.

45343. You say some of the members of the Indian Civil Service do not possess an adequate knowledge of the vernacular?—That is so.

45344. Does the system of having the records of evidence, one in the vernacular and the other in English, obtain also in the courts of District and Sessions Judges?—Yes, but only those which come under the Civil Procedure Code and the Criminal Procedure Code. The Judge must write out the evidence either in the language in which it is given, or in the English language. They do not know the vernacular sufficiently to be able to write out the evidence with their own hands, so the writer sits there and takes down the detailed statement in the vernacular, and the Judge makes an abstract of it in the English language.

45345. But he is able to follow the evidence, is he not?—Sometimes he is not.

45346. The evidence is interpreted?—The evidence has to be interpreted. I say the Judge should be able to follow the witness and understand what he says. He has now to depend upon the mercies of the Pleader or Counsel conducting the case.

45347. (*Mr. Fisher.*) Are you speaking from large experience of Judges?—I am not a very old man. My experience runs back nine years only.

45348. I suppose so far as your experience goes, you are speaking for this province only?—

Yes. There are various districts in this province, and my practice is not confind to this one district,. I go outside also.

45349 (*Mr. Madge.*) In part of your answer to question (3) you tell us that intellect is not the monopoly of the rich. Everybody agrees with that. But a great deal of money is spent in this country in marriage festivals, and other shows, and one thing and another. Is not there wealth enough in this country to endow scholarships?—The people of the country are very poor people. I do not think they spend too much upon marriages. On the whole, the people are a very frugal lot. I have not experience of Europe, but I believe Indians are amongst the most thrifty people in the world. I do not think they spend too much on marriages. So far as the margin between actual subsistence and actual expenses is concerned, there is nothing at all.

45350. That is so far as the great masses are concerned. You have heard of hoarded wealth in this country?—I do not know what hoarded wealth means. A man gives his wife jewellery worth Rs. 5 or Rs. 6. I think hoarded wealth would be a misnomer in that case.

45351. I am not speaking of that: I am speaking of bullion, or actual coin buried in large quantities?—I do not think that is so.

45352. You have no families of influence who have hoarded wealth?—I know no families who have got hoarded wealth.

45353. Do you think that classes and communities should be represented in the Indian Civil Service?—Yes.

45354. Do you not think that if the Government is bound to give the country the best class of officer it can obtain from any source, it is likely to profit so far as public interest is concerned if the employment is divided amongst the classes?—I agree with what was stated before the Commission by Mr. Baillie. Some people have an hereditary aptitude for governing people. He mentioned five Rajputs and Muhammadans. These people may not be able to hold their own in the competitive examination, but I do not think they are a whit worse Governors than those people who enter by means of the competitive examination.

45355. That does not answer my question. My question referred to classes and communities as such?—Those classes and communities have a special aptitude for governing people. I think all classes should be represented. I concede that.

45356. Even those who are very backward?—If the minimum number of marks is not obtained by candidates they should be left out, but the minimum is a sufficient guarantee for admitting only talented men.

45357. Had you sufficient time to consider the answers you gave to this question before giving the answer you have given to-day?—I do not think there is any inconsistency at all, absolutely none.

45358. (*Mr. Chaubal.*) Will you kindly tell me whether, when you say, "All important classes and communites should be represented in the Indian Civil Service" that is meant to be for the whole of India?—Yes, I think, if possible, there is no reason why that should not be extended to the whole of India.

45359. Can you give me an enumeration, according to your opinion, of those important classes and communities whom you are thinking of for the whole of India?—That is a very vast field. I am not acquainted with every part of India. I have travelled through some provinces, no doubt, and I can give you facts about this.

45360. I want simply an enumeration. I am going to take down the classes and communities you are thinking of?—My answer must necessarily be incomplete. I do not know every province of India. This province I know. I can say Mussalmans and Rajputs. That is a very big term. It covers so many castes and sub-castes. I believe there are some people in the Central provinces, Thakurs, I believe they are. I am not in a position to speak accurately with regard to the Mahrattas. If they are not equally advanced and sufficiently educated to reap the benefits, I would not include them.

45361. You want those who are sufficiently educated to come in?—From what I know of these they are not sufficiently educated.

45362. Have you finished your enumeration?—Yes. I do not know about the other parts of India.

45363. That is a very poor list. You do not take Bombay into consideration?—I thought the Mahrattas came from Bombay.

45364. Take the Brahmans?—I do not think that Brahmans need have special protection. From my experience the Bombay and the Madras Brahmans are a very highly educated and intellectual class.

45365. You want to keep them out?—Not a bit of it. If you will look at my list you will find I have given them 24 per cent.

45366. You consider them to be an important community which should have representation?—I thought you meant only those communities who should be specially represented. That is what I mean. The whole answer has been given under a misapprehension.

45367. You say, "All important classes and communities should be represented in the Indian Civil Service." My question was: Can you enumerate the important classes and communities of whom you are speaking?—I will try to give an answer. For those who are not sufficiently educated I think means should be devised to have a sufficient number of representatives.

45368. (*Sir Murray Hammick.*) I do not quite understand what you exactly mean in your answer to question (10). Do you adhere to all the statements you have made in reply to that question?—I do. I am sorry if I have not been clear there.

45369. Out of ten vacancies you would not give more than four to the Natives of India. Of twenty posts you would give twelve to the successful candidates in order of merit, three to the land-holders, and five to the Mussalmans. Do you adhere to that?—I might make this modification. Out of the three I have allotted to the land-holders I would include in that not only the land-holders, but all those specially interested, and those communities which are not sufficiently educated. I would make that modification.

45370. You would not modify the Mussalmans; you would keep four for them?—I would not modify that.

45371. But you do modify your statement about the separation of the Judicial and the Executive when you say that all the groups should be responsible to the Magistrates?—I tried to explain that to the Chairman. My position is this: that the separation of the Judicial and Executive functions is the most important thing. We must have it at any cost. Personally I would place that first and foremost in my programme. In case we do not have that, and the recommendation is not accepted by Parliament, I say as far as these provinces are concerned we must have this poor innocent and harmless scheme.

45372. You have not quite said that?—I would refer you, and ask you to read my answer to the question. I say, "Of course this scheme need not be considered if we are going to have a separation of the judicial and executive functions."

45373. I did not notice that. With regard to the vernacular record which is kept in these provinces, is it kept because they do not understand the language of the court?—I do not know. As a matter of fact, I find the court provides that, and in obedience to that it is done so.

45374. I have been told by officers in the United Provinces, when I have discussed it with them, that the reason the vernacular is retained in the court here as well as English, is in order that the appellate court may have before it the actual words taken down from the witness in the vernacular in order to avoid any risk of mistranslation into English. In our courts in Madras we do not take down the record in the vernacular. We take down the whole record in English, although I do not suppose the Magistrates know the language of the district a bit better there than the Magistrates in the United Provinces. I understand that is the reason why it is done in the United Provinces. Is that so?—The English record is very useful to the Judge before whom the appeal comes. I do not know what the framers of the Act had in their minds.

45375. I suppose it is very often very useful when you are holding an appeal before the appellate court to be able to refer to the vernacular record, which is the actual words taken down from the witness, in the event of there being a dispute about what the actual words were which the witness said?—We always refer to the vernacular record. It is very seldom that we refer to the English record, which is not supposed to be a complete or perfect record. The Judge may take down notes, but he would not take down any lengthy statement.

45376. (*Mr. Kanhaiya Lal.*) With reference to the Provincial Civil Service, do I understand you to say that if the conditions of efficiency be equal, you would desire a fair representation being given to all communities resident in these provinces?—By residents of the provinces I do not mean residents of the provinces as defined by the Local Government. The Local Government says that if a man has been in this province for three years he is eligible for every post. I think that is wrong. The result, as I have shown in my evidence, is that a large number of Bengali gentlemen come here. No doubt they are estimable gentlemen. But since we do not go to Bengal, I do not see why they should come here and hold these posts. I would introduce a change in that respect.

45377. What test would you apply?—I would say that no man should be allowed to hold any posts unless his father was a resident here.

45378. Supposing the father was a resident here and he went over to Bengal, can such a man be considered as qualified?—I do not think there are many cases like that. Those can be provided for.

45379. Would you insist upon his being born in these provinces?—If his father was resident here, unless there were some special circumstance, he must be born here. It means that.

45380. Would you be satisfied with birth in these provinces?—It may be that the actual father and mother were travelling, and that here he was delivered. It may mean that. I believe the condition I make is a more reasonable one.

45381. His father should be resident in these provinces at some time or another?—I mean permanent resident.

45382. Would you say that he should be a man who ordinarily resides in these provinces?—That is so vague. I do not know what the meaning of *aken* is. There are so many rulings to help us.

45383. Taking your definition of residence do I understand you to say that if the conditions be equal you desire a fair representation being given to all communities resident in these provinces?—I should think so, taking my definition of residence. I do not see why they should be excluded.

45384. You have stated in the course of your evidence that one-fifth of the listed appointments should go to the members of the Judicial branch of the Provincial Civil Service?—Excuse me, I mean that one-fifth of the total number of Judgeships should go to the Judicial branch of the Provincial Civil Service.

45385. You mean that only one-fifth of the Judgeships should go to the members of the Judicial line of the Provincial Civil Service?—Yes.

45386. How would you provide for the remainder?—I have said one-half to the members of the Bar, and one-fifth I have set apart for the members of the Judicial branch of the Provincial Civil Service. Looking to the fact that members of the Civil Service have a vested interest, and that they will be displeased if they do not get anything, I would give two-fifths to them. I think it should be one-fifth, but I will increase it to two-fifths.

45387. Half to the Bar and one-fifth to the members of the Provincial Civil Service, and the rest to the Indian Civil Service?—Yes.

45388. Are the members of the Provincial Judicial Service recruited from the Bar?—Yes, but only briefless men will care to come in.

45389. What should be the starting salary in order to attract men who are not briefless?—I do not think the proper men would care to go in for Munsifships at all, unless you give them Rs. 500, which is not the maximum of a Munsif. I do not think that a man who has a decent practice would care to be a Munsif.

45390. No starting salary less than Rs. 500 according to your assumption will attract the right men from the Bar to the Provincial Civil Service?—It depends upon the definition of "right man." What I may call the "right man" you may not call the "right man."

45391. According to your idea?—If they have a decent practice, or some apology for a decent practice, they will not be attracted under Rs. 500 a month. Of course, those who have a decent practice will not care to go in for District Judgeships.

45392. Do you suggest any method for recruiting the right sort of man for the Provincial Civil Service?—I have done so. I have made some additions in my additional evidence. The minimum pay should be Rs. 250 a month, and the pay of officiating men should be Rs. 200 a month.

45393. In that case, according to your statement, we shall not be able to get men of decent practice?—I do not think that men having a decent practice would be at all likely to become Munsifs. As far as their qualifications go all of them are either Bachelors of Law or High Court Vakils.

45394. You have stated that they are briefless men?—Yes.

45395. We want men of the right stamp of ability and talent?—If that is so you will have to give to the Munsifs a starting pay of Rs. 500 a month.

45396. Supposing we have men of that stamp you would not, I presume, care in that event to recruit the remainder of the listed appointments from the Bar?—Why not? The man who cares to go in for the post at Rs. 500 can go up for promotion. I have no objection to that. He is not the man who should all at once be called upon to discharge the functions of a District and Sessions Judge.

45397. Would not the recruitment of half the listed appointments from the members of the Bar affect the recruitment to the Judicial Service at the bottom?—No. The two types of men are essentially different. They are not the same men.

45398. What would be the qualifying period?—At least five years I should say. I will not put in a maximum. Even now, in the case of the age-limit, we find there are those whose age is more than thirty. They should be competent men. They are debarred because their age exceeds thirty. I will not put in a maximum standard.

45399. In other words, we have now a qualifying period of three years' practice for Munsifs, and you would have a qualifying period of five years' practice for District and Sessions Judges?—I do not think men of five years' standing will be appointed.

45400. Would you in that event be able to secure good men for the Judicial Service at the bottom?—No, the two types of men are essentially different. They are human beings all the same, but they are different types.

35401. (*Mr. Fasih-ud-din.*) Do you agree with the principle that the goal should be the gradual rise in the efficiency of the Provincial Civil Service, and then to abolish the distinction between the Imperial and Provincial Civil Services?—If you have separate examinations I do not think those distinctions should be brought in.

45402. Do you think that the goal should be to raise the efficiency of the Provincial Civil Service, and gradually abolish the distinction between the Imperial and Provincial Services? Do you think that to be a sound principle, or not?—At times it is; at times it is not. I would suggest that members of the Provincial Civil Service should be transferred to the Indian Civil Service. If we have a different mode of recruitment I should be against it.

45403. You would relegate the members of the Provincial Civil Service into an inferior service?—No.

45404. If we have another goal of recruitment?—No.

45405. You say Muhammadans are making rapid strides in the matter of education, and that a large number of graduates are passing. Is that your opinion?—Yes.

45406. Do you notice that there is no specific condition about educational qualifications laid down in the rules about officers promoted from subordinate service?—It says men of "proved merit and ability." It means a very high standard of education.

45407. Is there any specific qualification about education?—I do not think it is laid down. To my knowledge it is not.

45408. Would you agree to inserting a condition that Provincial Civil Service men must be graduates?—I do not think so.

45409. You would not insist upon that?—No. If a talented man is not a graduate I do not see why that should be insisted upon.

45410. Are you aware of the fact that in the case of direct recruitment this is one of the conditions laid down in the rules by the Lieutenant-Governor of these provinces?—I am not aware of it, and if that is so I am against it.

(The witness withdrew.)

SHAIKH SHAHID HUSAIN, B.A., LL.B. (Cantab)., Barrister-at-Law, Taluqdar of Gadia.

Written answers relating to the Indian Civil Service.

45411. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system of recruitment by open competitive examination has worked well but under the changing condition of the country I am not prepared to say that it is generally satisfactory in principle now.

45412. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The altered condition of the country, the spread of education, the improvement in the understanding of the public duty, has created a perfectly natural demand that more openings should be made for Indians to take part in the Government of their own country. The present system hinders that demand. As regards the alterations I would suggest them in answer to question (6).

45413. (3) Is the system equally suitable

for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is not suitable for the admission of Indians. The alterations suggested are contained in answer to question (6).

45414. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I consider that such combination is not to the advantage of Indian interests because the requirements of the country are distinctly peculiar and are getting more complex every day and specialisation is an urgent necessity, *viz.*, the special study of vernaculars, custom, history, law, and administrative functions.

45415. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of simultaneous examination in India and in England, but I am against open competition to all natural-born subjects of His Majesty. If competitive examination were open to all natural-born subjects of His Majesty both in India and in England, I am of opinion that it will result in the flooding of the service by a very narrow section of the Indian community, while classes specially fitted would be left out—a state of affairs highly undesirable both as regards efficiency of service and the political condition in India.

Before laying out alternative proposal I suggest the following principles should be kept in view:—

1. The candidates for service must be *Najib-ul-Tarfain* of respectability and of high caste.
2. That efficiency and fitness should be distinctly kept in view.
3. That the principle of suitable representation of different classes should be recognised.

The alternative suggestion may be summarily mentioned as follows:—

(*a*) That the candidates, both English and Indian, must be first selected by a Board of Selection appointed for the purpose, the question of fitness and eligibility to be left entirely at the discretion of the Board.

(*b*) That the candidates prior to appointments must have resided for 2½ years at either of the Universities of Oxford and Cambridge.

(*c*) That the examination should comprise subjects which will fit the candidates for the special requirements of the country they will be called upon to serve.

(*d*) That the Board of Selection should pick up successful candidates not on the principle of heading the lists but to select the best according to the proportion of various classes to be represented in service.

45416. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I would recommend gradual introduction of competent lawyers, *i.e.*, Advocates and Barristers of five years' standing, for direct appointment to Judgeships now exclusively held by the Indian Civil Service.

45417. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—Yes, I am satisfied.

45418. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The age-limit should be 21 to 24 so that each candidate may have sufficient chances.

45419. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—The age should be 24 or 25.

45420. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—The same as for English candidates. I would not recommend any differentiation.

45421. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—The syllabus of subjects should be revised to suit the special training of the Indian Civil Service people. The marks of languages like Persian, Arabic, and Sanskrit along with Latin should be the same.

45422. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation necessary.

45423. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—Not necessary.

45424. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Efficiency should form the main consideration for higher employments.

45425. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No.

45426. (22) If the system of recruiting military officers in India for posts in the Indian

Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—Not necessary.

45427. (23) Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—Not necessary.

45428. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—Not necessary.

45429. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—The rule has not been applied but powers should be retained.

45430. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

45431. (27) Is the class of posts listed suitable? If not, in what direction would you suggest any changes, and why?—I am not prepared to make any suggestions.

45432. (28) Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—If the suggestion mentioned under question (6) is not held practicable I should recommend that selected Indian candidates should be sent by the Government of India to compete at the Indian Civil Service examination in England, and assistance should be liberally given in the shape of scholarships and a reasonable prospect of service in India in case of failure.

45433. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—In any case there should be a period of probation.

45434. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—If no change takes place the period of probation should be 2½ years' course (6 months in England and 2 years in India). This will be sufficient, as practical working is the best form of practical training. This refers to candidates passing in England.

45435. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Those who pass in India should spend 2 years at the English Universities and 6 months in India.

45436. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—No separate college is necessary.

45437. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—The training of probationers should be arranged by the Provincial Government.

45438. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The answer to this question should be read with the larger question of separation of Executive and Judicial functions.

45439. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. The causes are—

1. Spread of English education among masses.
2. Press of multifarious work conducted in English.
3. Increase of European population and adverseness to mix freely with Indians.
4. Facility of spending their leaves out of India.

The remedy lies in the increase of standard of vernacular examination and direction for freer intercourse.

45440. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—*Vide* answer to question (11), special training is necessary. Details should be worked out by the High Court of the province.

45441. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

45442. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The system of probation should be the same in all cases.

45443. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation is necessary.

45444. (45) Do you consider that the exchange compensation allowance, introduced in

1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I should abolish it for the future and instead increase the salaries suitably.

45445. (46) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—Similar increase of salary irrespective of nationality.

45446. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—Yes.

45447. (48) Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—No.

45448. (49) Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—The leave rules should be equally applicable to all.

Written answers relating to the Provincial Civil Service.

45449. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are generally speaking suitable.

45450. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—As above, but I will specially urge that competent candidates from the better classes should be specially encouraged.

45451. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

45452. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I am not satisfied that the classes which should be selected are duly represented. My recommendation is that the Local Government should be approached to remedy this defect, by admitting the classes and communities concerned.

45453. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—Yes.

45454. (56) Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The number of posts in superior grades should be increased.

45455. (57) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—I am in favour of separation of Judicial and Executive functions.

45456. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—Yes.

45457. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-7, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The present scale of salary requires revision.

45458. (61) Do you approve of the arrangement of which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

45459. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The leave rules should be applicable alike to both services.

45460. (63) Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—The pension rules as well as the extension rules should also be alike to both the services.

45461. (64) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—If the two services, Executive and Judicial, are separated from one another the existing organization of the Provincial Civil Service demands changes.

SHAIKH SHAHID HUSAIN called and examined.

45462. (*Chairman.*) You are the Taluqdar of Gadia and a member of the Legislative Council?—Yes.

45463. You are a Barrister-at-law and Honorary Joint Secretary of the British Indian Association, Oudh?—Yes.

45464. What is the British Indian Association which you represent?—The British Indian Association here is an association of landholders and Taluqdars of Oudh. Every taluqdar is a member of the association.

45465. What are the objects of the association

—The objects of the association are improvements as regards educational and social life of the province, and the protection of their own interests. The Canning College here is financed by the Taluqdari of Gadia. The association supports the scholarships and assists the poor widows. The association has funds for the protection of their own interests.

45466. Do the views you have expressed here represent the view of the association?—Yes, with the exception of the views of the Honourable Babu Sri Ram, who will be examined later. He declined to take part in the deliberations as a member of the association.

45467. You are opposed to any scheme of simultaneous examination?—I am not opposed to the proposal of simultaneous examination. I have qualified it.

45468. You do not favour unreserved open competitive examination in this country and in England?—No.

45469. It would result, as you believe, in flooding the Service with a narrow section of the Indian community?—Yes.

45470. What would you say is the general feeling of the Muhammadan community in this province with regard to this proposal?—I can say the feeling on this subject is not a unanimous one. The one thing they are unanimous on is that there should be a larger employment of Indians in the Service. In Oudh the bulk of Muhammadan opinion would certainly desire that the Service should be manned by people who are most efficient and at the same time most capable of governing and not by people simply who can get through certain examinations.

45471. Your proposal is for an examination in India for entering into the Indian Civil Service and you would restrict it to young men of respectability and high caste?—Of high caste and good birth. The expression I have used is not in the strict legal sense as applied in the Taluqdari Succession Act. It is applied to those who are of good family and good manners, and who know how to behave themselves and how to be tactful.

45472. You would make good family a primary condition as distinguished from intellectual acquirements?—Undoubtedly. In the note I have written you will find that I make a very distinct point that these two should go together. If you can get a man of good family and good breeding, and along with it that he is educated, then you have got a combination which would be suitable for the Government so far as districts are concerned. If you have one quality missing certainly that is a deficiency which I think is incompatible with the efficiency of their service.

45473. You do not consider that a man, however high his intellectual acquirements may be, would make a good officer if he could not claim to be of good family?—The mere intellectual test will not give him well-bred manners which a man of good family is expected to possess. He will not have all the qualifications which go to make a gentleman. He may be sensitive in certain points; he may be a bit bumptious, and he will not have the mark of being a well-bred man.

45474. Assuming that you can find a man who can satisfy these qualities but cannot claim to be of a good old family, would you reject him from the Service?—My experience is that he would be rather difficult to find. If he can be found I would be the last person to reject him.

45475. You proposed by way of achieving your object to establish a Board of Nomination?—Yes.

45476. What would that Board consist of?—I have not gone into the details of that because I think that the details can be worked out by more competent people than myself. For that very reason I have tried to avoid going into details. It is only the principles which occur to me and my brother taluqdars which have been put into this note. The object to be attained is that the Government should feel that the people trust it, and the people should feel that the right sort of people are associated with the Government of the country.

45477. You would instruct this Board of Nomination to take a somewhat wider view than what you have described just now in regard to the selection of candidates; can I infer that?—The selection of candidates would be that the men should be of good birth and respectability and high caste. To my mind it comprises all the classes that ought to be there.

45478. You do not think that the necessary moral and social qualifications can possibly be found in one who does not fulfil those conditions?—I think most of them come in under this class, for that reason I have avoided the word "aristocracy." I do not want to be misunderstood on that point. The principle of aristocracy in Europe is different from the principle of aristocracy in this country. Because a man may happen to be a Raja it does not necessarily follow that he is an aristocrat. A man may be working in the field one day and the next day he may be called upon to take a high position.

45479. Is your examination to be a qualifying or a competitive examination?—With regard to fitness I think it should be by competitive examination.

45480. Should the examination approximate in standard to the open examination in England?—Yes, the same examination.

45481. Do you think there would be plenty of candidates to go in for, and successfully pass, this examination who would fulfil your conditions?—Yes there would be.

45482. Would you gradually introduce competent lawyers of five years' standing to the Service?—Yes, five years as a minimum.

45483. What proportion of posts do you suggest should be occupied by them?—My own personal opinion is that as regards the Judicial branch it should be exactly on the lines as it is in England. But as circumstances exist here I would not fix a proportion. I should like to see as many as possible.

45484. You do not think that that would injure the prospects of the Provincial Civil Service?—If the direct appointment of Barristers or Vakils to District Judgeships is objected to by the members of the Provincial Civil Service, if that were to be conceded, there would be no direct appointment at all. The object in having

independent appointments is to get the best material, other than from the class of people like the members of the Judicial Service. You get men fresh with the experience of the actual working in courts other than on the Bench.

45485. You think that, quite apart from any injury which may come to members of the Indian Civil Service or the Provincial Civil Service by being shut out from these posts, the Bench would be better staffed by lawyers than it would be by men who have been through the various courts as Subordinate Judges?—Undoubtedly. A clever practitioner will make from my point of view a better Judge than one who has started from the Munsif's grade and who by promotion has come up to that position.

45486. In your answer to question (54) you say, "I am not satisfied that the classes which should be selected are duly represented." Can you tell us which classes fail to secure representation?—They are Rajputs and Muhammadans. The most important community in this province is the Rajput community.

45487. You do not think they are sufficiently represented in the Service?—No.

45488. Is there a sufficient number of the Rajput community who would come up to the qualifying standard?—Yes. Now they are coming to the front and I hope in the course of time they will come more to the front.

45489. Do you know if many have applied and been rejected?—I know that some have had to wait for a very long time.

45490. But they have eventually obtained posts?—Yes; they have eventually obtained posts.

45491. You are in favour of the separation of Judicial and Executive functions?—Yes.

45492. You would like to see the same pensions in both Services. Do you mean by that that the officers of the Provincial Civil Service should have the same pensions as officers of the Indian Civil Service, who contribute all through their service towards their pension?—I mean that it should be in the same proportion.

45493. Do you mean that officers of the Provincial Civil Service should have the same amount of pension?—No, not the same amount. I mean that the same rule should apply to both.

45494. They should both contribute?—Yes.

45495. And in proportion they should both receive their pensions?—Yes.

45496. (*Sir Murray Hammick.*) In what direction do you want the present scale of salaries of the Provincial Civil Service revised? You say the present scale of salaries requires a revision: what do you mean by that?—They are not well paid.

45497. What increase would you like to see?—As I have pointed out (I do not wish to go into details). I feel that there should be an increase, because the present pay, to my mind, is not sufficient for keeping up their own status. I should like to see an increase; an addition, it may be, of Rs. 5, Rs. 10, Rs. 50 or Rs. 100. I would leave it however to more competent people to decide.

45498. It is the higher posts which you think are not well paid?—They are not well enough paid all along.

45499. You think a man when he first goes into the Provincial Civil Service does not get enough pay, and he does not get enough pay when he gets to the top?—That is so. But very few get to the top.

45500. That is due to bad grading. You want the grading of these Services altered?—Yes.

45501. Do you think that the Provincial Service holds out a good prize to the people to get into? Do you think it is considered a good Service?—It used to be considered a good service about 24 or 25 years ago, a Service in which there was honour and status; but somehow or other later on that status and honour disappeared.

45502. You do not think that it is as good as it was years ago?—Now there is a feeling that the prospects of the Provincial Civil Service are much better, and that is the reason why some of the young men with very good qualifications have taken to it. They think that the prospects are brighter for them.

45503. You think that the Service was better 25 years ago than it is now?—Yes. The position used to be considered a position of honour and status.

45504. Is it because the listed posts have been made over to the Provincial Service? During the last two or three years these listed posts have become available to the Provincial Civil Service because the Statutory Civilians are dying out. Is that what has improved the attractiveness of the Service?—There is an impression that there will be higher appointments for more members of the Provincial Civil Service.

45505. Do you practise at the Bar?—Yes.

45506. (*Mr. Chaubal.*) I think you said something about not having in the Indian Civil Service persons who do not belong to races who have governed before?—Yes.

45507. Do you consider the persons who are now passing out in the open competition in England have those qualifications which you think necessary, *viz.*, good birth, respectability, and high caste: do you think they have those three qualifications or not?—For that reason you will find that I have advocated that the open competition should not be in England. My experience is that some of them have not satisfied those requirements, both amongst Europeans and also amongst Indians.

45508. My question is purely confined to Indians. I want to know whether you think those persons, who, say, during the last 15 years have passed out through the open competition door in England, have not good birth, respectability, and high caste?—Some have not.

45509. Therefore you have advocated that such persons should not be appointed to the Indian Civil Service but people who belong to classes who have governed formerly. Would you attach any importance to governing well and governing badly? Your proposal is: let us have Civil Servants who belong to classes which have been used at one time or another to govern. The opposite view is: let us not have the Civil Service from a class who once had ruled but ruled so badly that they lost their Government and are not liked by the people. Is not that view one which requires to be taken equally into

consideration?—That view was amplified at the time of the Mutiny here in 1857. Theorists come forward and said that taluqdars were middle-class men. The taluqdars were done away with. Settlements were made with the actual occupants of the soil. At the time of the Mutiny these very people went back to the taluqdars of their own accord. They did not say at that time: "We want to be independent; you are very bad governors; you cannot govern and cannot be sympathetic."

45510. That is an historical fact, is it not? You do not want to see the sort of Government which obtained before England came here repeated, do you?—No.

45511. What would be the good of having people who are likely to govern in the same manner as they did in the past?—They are more educated, and they have got the instinctive governing power in them.

45512. (*Mr. Madge.*) If I have understood you rightly (correct me if I am mistaken) what you want to get into the Government service is a class corresponding rather with the county families in England than with the aristocracy, and you would do so because they have an influence with the masses generally which would be of use to the Government, not only in serious crises but in carrying out, possibly, unpopular reforms. Is that your idea?—As I said, the word "aristocracy" is liable to be misunderstood. The aristocracy of England and the aristocracy of the county families might be misunderstood here. Aristocracy here is the aristocracy of birth. Because a man is a Raja, or has been created a Raja by Government, it does not necessarily follow that he will be respected by his countrymen. The poor cultivator, if he is a Rajput, belongs to a certain section, and is as good as any nobleman in the land. There is no such thing as aristocracy here, or middle classes. If, however, by "middle classes" you mean that they are traders and merchants, and all that, it is quite a different thing. Aristocracy here is the aristocracy of birth.

45513. I thought you wanted to attract a class whom we have not got largely, who have considerable influence with the masses and the cultivators and others, and with whom they could use their influence for the benefit of the Government in any crisis?—This is my argument.

45514. A great many people sympathise with it, but in these democratic days you are not likely to carry your point. Is it not wiser to try and get this and that class in by degrees, and then let the Government and the public see the advantage, and then act accordingly afterwards? Would not the Statutory System, or some system of selection, get individuals of a class better than by a system of mere competition?—In this country there are two classes: the upper class, the high caste; and the lower caste. The lower caste here has not yet been sufficiently educated to give utterance to its demands. Then there is the higher caste, and in the high caste you have all shades of opinion.

45515. In other words, you have said in another form what a great many witnesses have told us: that is to say, that pure competition does not give us the best class of character. Is there no way apart from any which has been suggested, by which you can attract to the service of Government the class of men who show, by following independent or other careers that they have just the qualities which we want, but yet we have not been able to attract them?—I have particularly avoided any reference as regards the renewal of the Statutory Service, because the nomination system is objected to. Personally, I do not wish to associate myself with it.

45516. Might not the mistakes have been in the selection and not in the system itself?—It is the system of nomination itself. Here both have been kept in view, selection and efficiency also.

45517. (*Mr. Fisher.*) You have recommended the gradual introduction of competent lawyers into the Civil Service?—Yes.

45518. Would you require these competent lawyers to belong to a high caste?—High caste is a necessary element in my consideration.

45519. You would not admit any lawyer to a Judgeship who did not satisfy the family test?—Not unless he is of high caste—and high caste is a very wide term.

45520. His judgments would not be respected if he was not of high caste?—In the Judicial line judgments, whether from a high caste or a low caste Judge, would be in accordance with the law. It is the propositions of law which would be respected and not the personality of the Judge whether he be of high caste or of low caste, but an obnoxious person can make himself most objectionable.

45521. You do not consider the question of family so important on the Judicial side as on the Executive side?—On the Executive side it is particularly important. If the separation of the Judicial and Executive is followed it is not so important.

45522. (*Mr. Macdonald.*) You say that some Englishmen have come out who are not altogether satisfactory from the point of view of manners and conduct?—Yes.

45523. Have you taken the trouble to find out whether they were high caste or low caste Englishmen?—I certainly presume that as there is no caste system in England and as the same conditions of life do not prevail there as prevail here, there has been some defect as regards their education.

45524. I think you have said that the reason why you took objection to them was that there must have been some defect in their birth, and not merely in their education?—Those conditions which prevail in England do not prevail here.

45525. So that you would modify what you have said about the Englishmen who come out?—I would modify it to this extent, that there must have been some defect in their training, or home-life, because they are not good-mannered.

45526. Is it not possible that there might be some defect in the training or home-life of high caste Indians?—Here the condition is different. The conditions of life in England and the education in England and the years of evolution are different from the life here. The principles which apply there may not apply here.

45527. Have you known no examples amongst the governing families which you will rule out of consideration?—I have known many, and I consider they are unfit. My point is this. When you find a man of good birth and that class of man belongs to the governing classes, if you find he is fit and efficient then he should certainly be preferred.

45528. Supposing his father had been unfit and inefficient, where does your theory of heredity come in?—I am a great believer in the theory of heredity. When I find it in animal life, it is looked after in dogs and horses, I certainly think in human beings it should also be looked after, particularly as regards the governing of a district is concerned.

45529. You say that there are two sections in the Muhammadan community?—They are divided.

45530. Could you tell us what, in your opinion, is the tendency, which of the two sections seem to you to be the growing sections, the section in favour of simultaneous examinations and modern ideas (with which I of course associate yourself) or the section opposed to simultaneous examinations and the ideas which, perhaps, would not be quite so modern?—At present Muhammadan politics are in a very disturbed condition and it is difficult to say how it will evolve.

45531. It is difficult for us to get at public opinion as far as Muhammadans are concerned?—Yes. It will take some shape in some way or other. Among Muhammadans I think they have not arrived at a definite working method as regards what will be their future politics.

45532. Supposing we had come here three years ago, would you have said that then, or would you have been far more definite in your expression of Muhammadan views?—Three years ago I would have said the very same as I am saying now.

45533. The change has come?—Yes.

45534. The new sort of leaven is beginning to have its effect?—Yes.

45535. (*Mr. Sly.*) Does the evidence you have given represent the Muhammadan opinion generally, or does it represent the views of the British Indian Association?—What is contained in my note will represent the views of the British Indian Association.

45536. Your written evidence is that of the British Indian Association?—I identify myself with what is written for the Association.

45537. (*Mr. Abdur Rahim.*) What section of Indians are in the majority in this province?—Rajputs.

45538. With regard to the conditions which you lay down in sub-section (*a*) in answer to question (*b*), are they the opinions of the British Indian Association as a body?—Yes.

45539. The members of the Association feel that there are a certain proportion of men in the Service in whose manners something is wanting; but apparently it is almost impossible to lay this down as a condition for any Service; for instance take the Muhammadans, would you lay down that so many Sheikhs and so many Pathans would be eligible; would not Sheikhs stand highest as far as respectability of birth is concerned?—I have said members of good families. We Muhammadans know who are members of good families, and those who are not members of good families.

45540. Do you know from your own experience at the Bar whether men who are earning an income of Rs. 1,000 or Rs. 2,000 a month would be induced to accept District Judgeships?—They would have some consideration of less work and pension and some will accept.

45541. What standing would men who are earning an income of that sort generally have in the profession?—They would usually be men of about eight or ten years' standing. Some of them who are very brilliant would do it earlier in their career.

45542. (*Mr. Kanhaiya Lal.*) I understand that you advocate recruitment from among members of the Bar for the higher Judicial appointments?—I have said that I would prefer that it would be done as in England, that all Judicial appointments should be made direct from the Bar, if possible. I am speaking of the higher appointments.

45542A. You say in the course of your evidence that you would not fix the percentage. Would you advocate an occasional appointment from outside?—Personally, I should like to see all the District Judges and all the Judges of the High Court recruited direct from the Bar; but as circumstances exist, appointments might also be made from the Provincial Judicial Civil Service and from the Indian Civil Service. I should not like to work out the details of how many should come from one branch, and how many from the other.

45543. If recruitment were made direct from the members of the Bar, would it not affect the recruitment to the Judicial Civil Service prejudicially? Would you in that event recommend direct recruitment for the posts of District and Sessions Judges?—I desire more appointments direct from the Bar.

45544. You think that the pay of the Provincial Civil Service should be improved?—Yes, the pay of the Provincial Civil Service should be raised. In that way I think a better class of people would be attracted.

45545. You would not like that the recruitment to the Provincial Judicial Service should be injuriously affected?—They should not expect too much.

45546. You would not shut them out completely from the listed appointments?—We would give some to some brilliant members of the Service, but when they accept Munsifships at Rs. 150 and Rs. 175, it shows that the majority of them will not be the most brilliant members of the Bar.

45547. What would be the use of raising the scale of their pay to attract the right sort of man, if you go on to prejudicially affect their interests in respect of the superior posts by direct appointments from the Bar?—I should like to see their pay raised. As regards the question of Judgeships and appellate work, the practitioners who get appointments will make, in my opinion, better District Judges.

45548. Even after you have raised the scale of pay of the Provincial Judicial Service and attracted the right sort of men to that Service, would you still keep back the higher appointments from them?—I would give them sufficient

pay to induce some of the brilliant ones to accept appointments as District Judges. Direct appointments would be more satisfactory.

45549. Would you advocate the appointment of District and Sessions Judges from the best men, whether from the Bar or from the Provincial Service, without fixing a percentage, without showing a preference?—I would agree to that.

45550. If you propose to fill up these higher appointments directly from the Bar, do you not think the age-limit would stand in your way considerably?—I have not much to do with these pension rules. I would not like to go into that.

45551. Would you recommend a more liberal grant of pensions or an extension of the age-limit in their cases?—I do not know whether the age-limit would have anything to do with regard to the direct appointment of members of the Bar to District Judgeships.

45552. They retire at 55?—I do not know that they do.

45553. With regard to the age-limit you have nothing to say?—No.

45554. (*Mr. Fasih-ud-din.*) You say the rules of pension for the Provincial Civil Service and the Covenanted Service should be the same?—Yes, the same proportion.

45555. When you wrote that, did you have in mind that the Provincial Civil Service man should have the privilege of voluntary retirement after 25 years' service?—Yes.

45556. I believe you are a legal practitioner of some years' standing?—Yes.

45557. And you have been appearing before Deputy Collectors and Deputy Magistrates?—Yes.

45558. What is your opinion about those officials?—Some of them are good.

45559. Do you think they should be entitled to the post of Sessions Judges?—Certainly, some of them.

45560. You say that the status of Deputy Collectors is much lower than what it used to be 25 years ago. I should like to know whether you have any special facilities for this knowledge.—Yes.

45561. Kindly describe them.—I have some relations even now who are in those posts. My own father was a Deputy Collector. At first he used to dabble in politics, but when he found that the post of Deputy Collector was one of good honour and something very highly thought of among the community, he accepted the post. It was a direct appointment which was something very rare then.

45562. Do you think that persons of his status will not be attracted to the Service now?—They might be attracted now when there is a chance of higher appointments coming into store for them. They feel that they will not be roughly handled by the Magistrates under the directions of the Superintendent of Police.

(The witness withdrew.)

[Adjourned till Friday at 10-30A.M.]

Friday, 4th April 1913.

FORTY-FIFTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
ABDUR RAHIM, ESQ.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
HERBERT ALBERT LAURENS FISHER, ESQ.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

WILLIAM TUDBALL, ESQ., I.C.S., Judge of the High Court of the North-Western Provinces.
RAI BAHADUR PANDIT KANHAIYA LAL, M.A., LL.B., Second Additional Judicial Commissioner, Oudh.
KHAN BAHADUR MAULVI MUHAMMAD FASIH-UD-DIN, Deputy Collector, Kashipur, Naini Tal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. (*Joint Secretary*).

RAI SRI RAM BAHADUR, C.I.E., Taluqdar of Oudh and Advocate of Judicial Commissioner's Court, Oudh.

Written answers relating to the Indian Civil Service.

45563. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The working of the present system of recruitment by open competitive examination in England for the Indian Civil Service places the Natives of India at a great disadvantage. I do not consider it as generally satisfactory in principle. This is a unique instance in ancient and modern history that in order to get a place in the administration of his own country an Indian has to travel many thousands of miles. He has to compete with Europeans in one of the most severe examinations in the world. In order to obtain requisite number of marks he has to take up modern foreign languages which are not of much use to him in his official career in India. Neither Persian nor any of the modern languages of India

find a place in the syllabus of studies. The two classical languages of India, *viz.*, Sanskrit and Arabic, in which an Indian can attain proficiency more easily, have only 800 marks each, while Greek and Latin language and literature carry 1,100 marks each.

45564. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—In my opinion the present system is faulty in the following respects:—

A Native of India has to go to England for competing at the examination. The chances of success of an Indian are generally doubtful and from the paucity of the number of successful candidates in the past, it is apparent that Indians have much smaller chances than Europeans have.

Indian History has no place in the curriculum, while Greek, Roman, English and Modern Histories are entered therein; the marks for English History being 800 and for each of the others 500.

45565. (3) Is the system equally suitable for the admission of "Natives of India", and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system at present in force is not equally suitable for the admission of Natives of India and of European subjects of His Majesty. An Indian candidate labours under the following disadvantages:—

(i) He has to acquire a very high proficiency in a foreign language, *viz.*, English, while European candidates have this facility that the language in which they have to study the different subjects is their own mother-tongue.

(ii) The disparity of marks assigned to the subjects which can with facility be studied by the Indian candidates and in which a higher number of marks can be obtained by them has already been referred to in my answer to question (2).

(iii) A European candidate can prepare himself for the examination enjoying the comforts of a home life, while an Indian has to leave his home and hearth for residence extending over some period, in a country where he has no friends and has to guard himself against various temptations.

(iv) The Indian candidate has also to spend money comparatively large for the means of an average Indian of the middle class.

In order to remove disadvantage No. (i), *i.e.*, the difficulty in acquiring proficiency in English language and literature, the minimum age should be raised to 23 and the maximum to 25 years.

Disadvantage No. (ii) should be removed by assigning to Sanskrit and Arabic the same number of marks as are allotted to Greek and Latin. Persian and modern languages of India should be included in the course and marks equal to modern European languages should be assigned to them. Indian History should also be included and the same number of marks should be allotted to it as to English History.

The competitive examination should be held in India simultaneously with the examination in England, so that the Indian youth may not labour under the disadvantage of going to a foreign country and incur the heavy expenses which they have to do for travelling to and residing in England. In this way disadvantage No. (iii) will be removed.

Residence in India will save him from the large expenses which he has to incur in a foreign country and thus an Indian will not labour under disadvantage No. (iv).

45566. (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England open in both cases to all natural-born subjects of His Majesty?—In my opinion a system of simultaneous examinations in India and England open in both cases to all natural-born subjects of His Majesty should be introduced. A candidate who passes the examination in India should be sent to England to study in any University or other institution for a period of two years. He should get a suitable scholarship from the State. I consider residence in England highly essential for the successful candidate, because it is by such residence alone that he can learn the customs and manners of the English people and acquire an insight into their character and the good features of the British character. His residence and training in England will prepare him to work on a footing of equality—so far as that is possible—with the European Civilians working in India.

At present it is not necessary that an Indian candidate should reside in England for any time before he can be allowed to appear at the competitive examination. He may reach there one day and appear for the examination next day.

Many an Indian youth though possessing exceptional merit but empty in pocket has no chance of appearing at the examination because of its being held in England. In India the middle classes whose sons as a general rule work hard and pass with credit in the University examinations are not in such affluent circumstances as to bear the expenses of educating in and sending out their sons to England. If the competitive examination be held simultaneously in England and India, Indian youths possessing exceptional educational qualifications but not sufficient means will get a chance to compete. If successful, the scholarship as well as pecuniary help given by their parents and friends will enable such youths to proceed to England and prosecute their studies there for a couple of years or more before being sent out to India.

I expressed similar views as regards the holding of simultaneous examinations in England and in India when I was examined as a witness before the Public Services Commission of 1886-87.

45567. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—If it be decided that under no circumstances simultaneous examination open to all classes of His Majesty's subjects ought to be held in India; on the principle that something is better than nothing, a separate examination in India, with a view of filling a fixed proportion of the vacancies in the Civil Service cadre by Natives of

India, may be held. A separate examination in each province or group of provinces will turn out candidates of inferior qualifications and attainments. Ultimately such an examination will degenerate into a sort of Provincial Service examination. The candidates successful at such an examination will not have the same prestige and would be looked upon by the public as officers possessing qualifications inferior to those of the members of the Indian Civil Service. As regards the proportion of the persons enlisted by separate examination I would suggest that it should not be less than one-third of the total number of recruitment to the Indian Civil Service.

45568. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—As I have stated above, I am in favour of simultaneous examinations being held in England and India, without any distinction, and failing that in favour of an examination in India for the Indians. But in case both of the abovementioned alternatives cannot be had, I would suggest that a system under which Natives of India could be selected in India, for admission to the Indian Civil Service, by means of combined nomination and examination should be adopted. The recruitment in such cases should not be made by the exercise of mere patronage. The selection of the candidate should not be made on account of his mere respectability of birth and high connections. A high educational qualification should be the *sine quâ non* for admission into the service. The nominated candidate must pass a competitive examination held along with other nominees. I would not advocate that the nominations should be influenced by any regard to class or communal representations.

45569. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—"Natives of India" should in no circumstance be debarred from appearing at the open competitive examination in England with other subjects of His Majesty; they should be eligible for appointment there. Experience has shown that the number of successful Indian candidates has been so small in the past years that for a long time to come there can be no apprehension of the Indians outnumbering Europeans.

45570. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I consider that any system which may be adopted for the selection in India of "Natives of India" should not do away with the present system of promoting to listed posts officers of the Provincial Civil Service. The adoption of any such measure would have a very discouraging effect on the Provincial Civil Service and would take away from the Government the power to reward exceptionally meritorious services of the capable members of that service. I do not think that the system of selection in India of "Natives of India" should be considered as supplementary to the system of promoting members of the Provincial Civil Service to listed posts. They should stand separate on their own merits.

45571. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I do not think that for the Judicial branch of the Indian Civil Service a separate method of recruitment should be adopted. I mean that as long as the principle of giving judicial appointments to the members of the Indian Civil Service is maintained, no separate method of recruitment is required. A bifurcation should be made at the commencement of the official career of a Civilian. As soon as he has served his probationary period, and he shows a special aptitude for Judicial work, he should be selected for the Judicial branch of the Service and maintained all along in that branch unless for some exceptional reasons.

It is not unoften that Civilians who prove failures in the executive line are relegated to the Judicial branch. No doubt some of them do turn up good Judicial officers but others do not. The consequence is that we see the very unedifying spectacle of a presiding Judicial officer showing ignorance of the first principles of law and getting confused when he comes into contact with a clever member of the Bar and a large number of rulings are quoted in a case before him.

45572. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I would like that a modification should be made in the definition of the term "Natives of India" given in section 6 of the Government of India Act of 1870 (33 Vict., c. 3). A Native of India ought to mean a person born of pure Indian parents, and not of mixed European and Indian descent or of unmixed European descent but domiciled in India.

45573. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—If the system of recruitment by

open competitive examination in England is retained, I would recommend that the minimum age-limit for an Indian candidate should be raised to 23 years and maximum to 25 years.

45574. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—I would consider 26 or 27 years the most suitable age at which junior Civilians recruited in England should commence their official duties in India.

45575. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—I would consider 25 years as the maximum age-limit to be fixed for Natives of India for the open competitive examination in England.

My reasons for suggesting this age-limit are as follows:—

The examination is a very stiff one, and the number of subjects for examination is also large. An Indian has to learn all the subjects except the languages in English. He cannot matriculate in any of the Indian Universities before he completes the age of sixteen. Four years more are required to obtain the Bachelor's degree and another couple of years for the Master's degree. If he is exceptionally bright he may appear for the Civil Service examination after one year's further study, that is, at the age of 23. This assumes that he passes all his University examinations without any interruption. Failure in one of the University examinations means the addition of another year to his age. But there are very few Indians who can prepare for the Civil Service examination in one year, after their University career. A more suitable period would be two years. If the age-limit therefore be raised to 25 years, an Indian candidate will have a fair opportunity of being successful at the Civil Service examination.

I am not in favour of any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty.

45576. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I beg to suggest the following additions to, and alterations in, the prescribed syllabus of subjects for the open competitive examination. Persian and modern Indian languages should be added as well as Indian History. The marks for Sanskrit and Arabic languages and literature should be raised from 800 to 1,100, *i.e.*, to the same extent as are at present allotted to Latin and Greek languages and literature. The number of marks for Persian and modern Indian languages should be the same as are now given for modern European languages. The number of marks for Indian History should be the same as for English History, *viz.*, 800.

45577. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—In my opinion no differentiation in the subjects for the open competitive examination in England is desirable between candidates who are Natives of India and who are not. It should be left to the choice of the two classes of candidates to take up any of the optional subjects they like. By adding Persian, Indian modern languages, and Indian History, and raising the number of marks for Sanskrit and Arabic, the disadvantages under which Indian candidates at present labour will, to a great extent, be removed.

45578. (18) Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I do not think it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service. Such a statutory reservation would be against the wording and spirit of existing Statutes of Parliament and Government orders and the gracious pronouncement of policy by the past and present Sovereigns. It should be left to the proper authorities to act in such cases in the manner most proper for the public interests.

45579. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I do not consider myself competent to lay down the minimum proportion of Europeans to be employed in the higher posts of the civil administration. But this much I can say that the higher posts of the administration in the Executive branch should remain in the hands of Europeans. At the same time I must confess that I do not see any good reason why Natives of India should not hold a very much larger number of posts which are at present held by Europeans.

45580. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I do not accept as generally satisfactory in principle the present system under which the Natives of India are recruited for posts in the Indian Civil Service cadre, partly through the medium of an open competitive examination in England and partly by special arrangement in India. The number of Indians who get posts in that cadre by passing the examination in England is extremely small, and cannot be regarded by the Indians with any satisfaction. I cannot comprehend the last part of this question. There is no system in force at present by which any special arrangement is made in India for admission of Indians in the Indian Civil Service cadre. At one time there was the system for appointing Statutory Civilians, but that has been abolished long ago.

45581. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and

if so, what method of recruitment would you recommend?—I am not in favour of reviving the defunct system of appointing by nomination Statutory Civilians under the Statute of 1870. I have already said in answer to question (8) that if we are not going to have either a simultaneous examination in India or, failing that, a competitive examination in India for Indians only, a system of recruitment by examination and nomination combined may be introduced.

45582. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—In my opinion it is not advisable to re-introduce or introduce into any other provinces except those on the frontiers the system of recruiting military officers in India for posts in the Indian Civil Service cadre—a system which has not existed in the Province of Agra from, I think, the commencement of the British rule, and though once in force in the Province of Oudh has been abolished for a long time now. The introduction of such a system in these provinces will be considered a retrograde step in the civil administration of these provinces.

45583. (24) What is your opinion of the system by which certain posts ordinarily held by members of the Indian Civil Service are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I consider the system by which certain posts ordinarily held by the members of the Indian Civil Service are declared to be listed posts and to which members of the Provincial Civil Service are properly appointed, to be good. The complaint is that at present the number of these listed posts is small and the general opinion is that their number should be increased.

In the United Provinces of Agra and Oudh the highest of such listed posts held at present is that of Additional Judicial Commissioner in Oudh and which at present is held by a member of the Provincial Civil Service. The other listed posts are as follows:—

Five District and Sessions Judges; of these, three were held at the beginning of the year by Statutory Civilians and only two by members of the Provincial Civil Service. There are two Small Cause Court Judgeships which are also held by members of the Provincial Civil Service. There are only two Collectorships held at present by officers of the Provincial Service. The Joint Secretaryship of the Board of Revenue is also held by a member of the same Service as well as Assistant Directorship of Land Records and Agriculture. Among the listed posts there are two posts of Assistant Settlement Officers, but the provincial Civil List for January 1913 shows that no Provincial Service officer holds either of them at present.

At present the number of the members of the Indian Civil Service in the United Provinces Civil Service cadre is 244. Out of these, 21 are employed under the Government of India and elsewhere; the rest are in these provinces; these include the officers on leave. There are at present only four Statutory Civilians in the United Provinces. Out of the five in the beginning of the year one has retired in January last. Of the remaining four, two are Joint Magistrates, each drawing a monthly salary of Rs. 640, the third one is a District Judge of 2nd grade getting Rs. 1,600 a month, and the 4th one also a District Judge drawing Rs. 1,440 a month.

45584. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—I think that there should be an abolition of the limit of one-fourth prescribed in the present rule which lays down that Natives of India other than members of the Provincial Service or Statutory Civilians may be appointed to the listed posts. There should be no such limit.

45585. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—I consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service.

45586. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—I would fix this period two years. During this period the probationer should study the Indian Penal Laws, Law of Evidence, Civil and Criminal Procedure Codes, and if a European or an Indian Native of another province, the spoken language of the province to which he is posted.

45587. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I would not make any difference in any of the courses of study for Natives of India and for Europeans, except that Europeans and Natives of India of different provinces should acquire a high proficiency in the spoken language of the province to which they are posted. This proficiency should be acquired in the language spoken by the people and not merely in the language in which books are written.

45588. (32) Do you consider that the probationer's course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In the case of Natives of India the probationer's course of instruction should be spent in England and in the case of other natural-born subjects of His Majesty, in India.

45589. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I do not consider it desirable that a college for training of probationers of the Indian Civil Service should be started at some one place in India.

45590. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I consider it desirable that each Provincial Government should arrange at some suitable centre for the training of the probationers posted to the province, by suitable courses of instruction for the whole of the period of probation.

45591. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—People are not satisfied with the present arrangements for the training of junior European officers of the Indian Civil Service, which they receive after they have taken up their appointments in India. If placed under a good-natured senior Civilian, the newly-appointed officer receives good training. He learns to be courteous towards the Indians and a desire to acquire popularity is evinced by him. But the result is otherwise if he is placed under a senior officer who himself lacks these qualities. I would advocate that steps should be taken which would bring the young European officer into greater touch with the people. He should learn diligently their manners and customs, mix more freely with them and try to soften his insular angularities of character and disposition.

45592. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—In my opinion there has been a deterioration in the knowledge possessed by the European members of the Indian Civil Service of the Indian languages. There ought to have been an improvement in this respect, but I am sorry to say that it is not so. There are some young Civilians who can speak the vernaculars tolerably well, but the majority of them do not acquire that facility. They can speak and understand only the language used in the courts, but as regards the spoken dialects their knowledge is very imperfect.

I describe some of the causes of this deficiency. The majority of the European civilians do not mix with the people very much. The subordinates with whom they have to deal speak English. Many of the Indian gentlemen who visit them carry on conversation in English. In their court business no doubt the young Civilians have to write in English the statements made by the suitors and witnesses in vernacular, but in doing this they are helped by the Bench reader and by the English-knowing lawyers appearing for the parties.

The facility which the European officers possess now of going to England on short leave and of going to the hill-stations where they have to deal with the people who know English may be another cause in the way of their not acquiring good knowledge of vernacular. I think in addition to acquiring knowledge through books the young Civilian ought to mix more freely with the people and carry on conversation with them in vernacular. By this practice he will acquire a better command of the dialects spoken in the province.

45593. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—In reply to question (30), I have indicated the legal subjects which should be studied by the Civilians during the course of probation, but for an officer selected for the Judicial branch a much higher and more extensive knowledge of law is required. I cannot suggest that such a knowledge should be acquired in any particular way or by following any particular course of study. It should be left to the young Civilian selected for the Judicial branch to acquire such knowledge in the best way he can. I would suggest that the High Courts or the highest judicial tribunal in the province should submit to Government a periodical report expressing their opinion on the progress made by judicial officers as shown by the decisions which come in appeal before them. And the Government should take notice of the opinions expressed by the highest judicial tribunal of the progress or otherwise made by those judicial officers in their knowledge of law. If no satisfactory progress be made by an officer, Government ought to transfer him to some other branch of the Service.

45594. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—The officers selected for the Judicial branch who are conscious of their responsibility and are ambitious of rising in that branch will themselves pursue the proper course of study in law. I do not think that any special course of study can be recommended.

45595. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—In my opinion the officers selected for the Judicial branch of Service should at first be entrusted with the trial of simple civil cases of small value —say not more than Rs. 200 in valuation, and as they show progress in trying civil suits their jurisdiction may be enlarged by degrees. No member of the Civil Service should be invested with the power of trying appellate cases unless he has tried original cases for a period of not less than 7 years. We find that a Civilian who has served in India for a very short period —say 5 or 6 years—gets an officiating District Judgeship and sits as a court of appeal on the decisions of Munsifs and Subordinate Judges whose service as judicial officer is double or treble and not in a few instances quadruple of that of the young Civilian, who know the language of the country to perfection and whose knowledge of the manners and customs of the people is far superior to that of the young Civilian.

45596. (40) Is any differentiation desirable in a system of training after appointment

in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not consider any other differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are Natives of India and who are not so, except as regards the vernaculars, which I have already said with reference to some of the preceding questions.

45597. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—I have recommended that the system of direct recruitment in India of the Natives of India, in case we can have no simultaneous examination may be adopted. I would suggest that the officers so recruited should serve a two years' probation in India and receive their training here.

45598. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—In my opinion there is no differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are of unmixed Indian descent or of mixed European and Indian descent or of unmixed European descent except that the members of the latter two classes should learn the vernaculars of the provinces to which they are posted.

45599. (43) Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions?—I have no further remarks to offer on any other points relating to the probation and training of the members of the Indian Civil Service.

45600. (45) Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I think that European officers getting compensation allowance at present should continue to get it. European officers to be recruited in future should not get any such allowance. I am informed that in some branches of the Service, *e.g.*, the Indian Educational Service, no compensation allowance is allowed to the officers newly appointed. The same practice should be introduced as regards the members of the Indian Civil Service. Compensation allowance for European members of the Indian Civil Service and of other branches was introduced on the ground that those officers had entered the Government service on the understanding that the rupee had a certain proportionate value to the English currency at the time of their entrance into the Service, and the subsequent fall in the value of the rupee affected detrimentally their emoluments. But now the value of the rupee is practically fixed, and the salaries of the posts to which Europeans are appointed are handsome; the officers accepting employment in future should get no compensation allowance. If a European accepts the post in future he must be considered to have accepted it on the pay allotted to it.

45601. (46) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—I would recommend the abolition of payment of compensation allowance to the officers who will be employed in future. As regards those who are getting that allowance at present I would not recommend any alteration in the present practice.

45602. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services, holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—In my opinion it is not satisfactory that the Statutory Civilians and officers of the Provincial Service holding listed posts should get two-thirds of the salary which a member of the Indian Civil Service would get for the same posts. The appointment of a member of the Provincial Service to a listed post pre-supposes that he is possessed of the necessary qualifications to discharge the duties entrusted to him. The same kind of work is expected from the officers so appointed as from the members of the Civil Service. There is no equitable reason why any difference in the emoluments of the two classes of officers holding the same kind of posts should exist. This difference gives rise to the notion that an officer of the Provincial Service holding a listed post is inferior in dignity and in other respects to the member of the Civil Service.

Written answers relating to the Provincial Civil Service.

45603. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—With reference to the Government of India resolution referred to in this question, I beg to offer the following remarks and suggestions.

The power given to Local Governments under paragraph 3 to make rules for the recruitment of the Provincial Services should be subjected to the previous sanction of the Government of India. The rules made without the previous sanction of the Government of India are liable to be changed at very short intervals and there will be no fixity in them. A rule which is made to-day may be done away with, modified or altered, to-morrow, and this will generally be done on the suggestions or proposals of the Secretary of the

department, or by the head of the administration *suo motu*. In provinces where there is an Executive Council such modifications cannot be made so easily because they would be subjected to a scrutiny by the full Council. But the same safeguard does not exist with regard to other provinces. I consider that the general control of the Supreme Government is not enough but previous sanction should be obtained before any change be made in the rules.

As to clause 3 (1) admission into Service should be made according to the qualifications of the candidates and not on the principle of representation of the different classes of the community. No appointment to the Provincial Service should be made on racial considerations alone; the adoption of such a principle means the ignoring of the merits of the fittest candidate.

As to paragraph VII.—The power of giving promotion to the grade of Rs. 500 a month or more is reserved by this rule to the Local Government without regard to seniority. It often happens that complaints of serious defects are made by the district or divisional officers against the members of the Provincial Service. These reports are *ex parte* and are kept confidential. The person against whom prejudicial allegations are made has no opportunity to offer an explanation. Justice requires that such person should first be called upon to submit an explanation. He should also get a warning to improve. Failing any satisfactory explanation and improvement punishment should be meted out to him. The practice of condemning such officers unheard should be put a stop to. Its continuance prevents men who are really capable and of independent character from entering Government service, from which they keep themselves aloof.

45604. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—The rules for the recruitment of the Provincial Civil Service in force in the United Provinces do not at present require any modification. But it is the actual working of the rules that requires consideration. As stated by me in connection with question (51), racial considerations should not enter into the matter of making appointments to the Provincial Civil Service. Fitness of the candidate should alone be the test and guiding principle.

45605. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—I consider that recruitment for the Provincial Civil Service should ordinarily be restricted to the residents of the province to which the Service belongs.

45606. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All classes and communities are not duly represented in the Provincial Civil Service of the United Provinces. I have already stated in answer to some of the preceding questions that fitness for work and educational qualifications should be taken into consideration and not the race or religion of the candidate.

45607. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I have no objections to make against, or any alteration to recommend in, the existing arrangements for training and probation of officers appointed to the Provincial Civil Service.

45608. (56) Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I cannot at present give any opinion as regards the subject of this question. So far as the United Provinces are concerned, a scheme relating to the Judicial branch, formulated and recommended by the Greeven Committee, has just been sanctioned by the Secretary of State and the Government of India. Until it is put into actual working and experience is gained regarding it, it will be premature to offer any opinion on or make any suggestions respecting the sufficiency of number of officers in the Judicial branch.

As regards the Executive branch, the Pike scheme dealing with the question of increase in the cadre of Deputy Collectors and other officers is under the consideration of Government, and until that scheme is sanctioned and introduced, no definite opinion can be formed on the sufficiency or otherwise of the number of officers in the Executive branch of the Provincial Civil Service.

45609. (57) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—In the United Provinces no Executive officer of the Provincial Civil Service possesses any jurisdiction to try civil cases; there is a complete separation in this respect. But the practice still continues that sub-divisional officers and others try criminal cases both in the original and appellate stages. Such officers should altogether be relieved of judicial work of this kind and a complete separation be made of the Executive and Judicial functions.

45610. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—If by retaining the designation of "the Provincial Civil Service" the distinction and disabilities which attach to its present form are also going to be retained, I am not in favour of retaining it. In my opinion there ought to be only two grades of Services—one superior and the other ministerial. In the superior grade all the officers of whatever nationality should be placed and in the ministerial service the clerks and officials standing on that footing should be included.

45611. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-7, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—In my opinion the principle recommended by the Public Service Commission of 1886-7 should not be maintained now. It is nearly a quarter of a

century ago that that principle was laid down. Since then the condition of the people in India has changed, education has advanced by leaps and bounds, and there has sprung up in the children of the soil a greater desire to get a proper share in the administration of their country. Prices have gone up and the cost of living has increased to a great extent. There should be a general increase in the salaries of officers of the Provincial Civil Service. No distinction in the scale of salaries fixed for the same class of officers and appointments should be observed in the different provinces. In the Indian Civil Service and some other Services there is no such distinction in the different provinces of India. I think the same system should be adopted with respect to the Provincial Civil Services also.

45612. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay and grading in the Provincial Services of the United Provinces both in the Executive and Judicial branches are not adequate to secure men of desired qualification for appointments.

1. With regard to the Judicial branch, their gradation and salaries should be as follows:—

	Per mensem. Rs.
Probationary Munsif	200
Munsif, 3rd grade	250
Do. 2nd „	350
Do. 1st „	400
Subordinate Judge, 4th grade ..	500
Ditto 3rd „ ..	600
Ditto 2nd „ ..	800
Ditto 1st „ ..	1,000
Judge, Small Cause Court, 2nd grade, rising to	1,000
Judge, Small Cause Court, 1st grade ..	1,200

A Munsif from the very commencement of his service has to perform arduous duties. He has to try original cases. After serving the probationary period his initial pay should not be less than Rs. 250 a month.

2. As to the Executive branch, *viz.*, Deputy Collectors, their gradation and salaries ought to be as follows:—

	Per mensem. Rs.
Probationary Deputy Collectors ..	150 to 200
7th grade Ditto ..	300
6th „ Ditto ..	400
5th „ Ditto ..	500
4th „ Ditto ..	600
3rd „ Ditto ..	700
2nd „ Ditto ..	800
1st „ Ditto ..	1,000

At present a probationary Deputy Collector on entering into the service gets Rs. 100 a month only, which is raised after some time to Rs. 200. Rs. 100 a month is too low a pay for a probationary Deputy Collector. From the very commencement of his service he should not get less than Rs. 150 a month.

45613. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—It has been noted in answer to question (47) that officers of the Provincial Civil Service appointed to listed posts should get the salary attached to those posts. The full salary of the post should be given to the member of the Provincial Service appointed to that post.

45614. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—There is one very important question in connection with the leave rules applicable to the Provincial Service which deserves a careful consideration. When any member of the Provincial Civil Service takes leave, there is no officiating promotion given to the other members of that Service junior to him. In the Indian Civil Service, Public Works department, and some other branches of the Public Service, officiating promotions are given to the persons holding officiating appointments. They get an increase in their allowances. But it is not so in the case of the members of the Provincial Civil Service. This grievance is very much felt by them. They being very hard-worked officers deserve an equal treatment with those of the other Services.

45615. (63) Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—The present maximum limit of pensions obtainable by a retiring member of the Provincial Civil Service requires consideration. According to the present rule it cannot exceed Rs. 5,000 *per annum*. A special sanction of the Secretary of State is required to raise the amount allowed under the existing rules. The maximum limit should be raised to Rs. 7,500 *per annum*, *i.e.*, to half the amount which is allowed to members of the Indian Civil Service.

45616. (64) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I have no other suggestions to make with regard to this question except what I have already said with reference to question (60).

45617. (65) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I have the following proposals to make with regard to the Provincial Services, which are not covered by my answers to the preceding questions:—

(i) Promotion in the Judicial branch of the Provincial Civil Service is very slow. This has been the chief cause of discontent among the members of that Service. A reference to the history of gazetted officers and to the quarterly Civil Lists will show that officers of the Judicial line are worse off than those in the Executive branch. Promotion among the latter class of officers is comparatively rapid. I may be allowed to suggest a remedy for the slowness of promotion

which exists at present both in the Judicial and Executive branches—which is promotion by the time-scale, *i.e.*, according to the period of service.

(ii) Privilege leave of one month on full pay should be allowed to officers of the Judicial branch. They are very hard-worked officers.

(iii) At least one-third of the listed posts should be thrown open to the members of the Provincial Civil Service.

(iv) In the Judicial branch there are at present only two members of the Provincial Civil Service holding posts of District Judges, one holding a permanent post and the other is only sub. *pro tem.* There are four members of the Provincial Civil Service who hold the posts of Assistant Judges and six Small Cause Court Judgeships. Thirty-six Judgeships, Additional Judgeships, Assistant Judgeships, and Judgeships of Small Cause Courts are held by the members of the Indian and Statutory Civil Services. This arrangement is anything but satisfactory. The Judicial branch of the Service is the Service in which a large number of posts can very safely be given to Indians.

The members of the legal profession and Subordinate Judges are better versed in law than the junior members of the Civil Service who, after serving only five or six years and sometimes less, are appointed to officiating Judgeships and Additional Judgeships and who have thus to pass judgments as court of appeal on the decisions of experienced Subordinate Judges and Munsifs. I would suggest that out of the total number of Judgeships, Additional and Assistant Judgeships and Judgeships of Small Cause Courts one-third should be held by members of the Indian Civil Service, another third should be given to members of Judicial branch of the Provincial Civil Service and the remaining third to barristers and vakils.

(v) At present a practising barrister or vakil can get only a probationary Munsifship to begin with. The result is that generally such junior members of the Bar who are not successful in their profession accept the Judicial Service. I would suggest that not only permanent Munsifships but Subordinate Judgeships and other superior posts in the Judicial line should be thrown open to the members of the Bar. They should get these posts, if properly qualified, at once and without serving in the inferior posts.

(vi) Only two posts of Collectors are held by the members of the Provincial Civil Service. The number of these posts should be increased, specially now that the number of Statutory Civilians has dwindled.

(vii) In the United Provinces the Head Assistants to the Commissioners of divisions are taken from the ranks of the ministerial officers. They should in future be taken, as is done in Bengal, from the Provincial Service. Members of that Service are more trustworthy and are possessed of superior qualifications. A Deputy Collector who has worked as Commissioner's Personal Assistant, if placed in charge of a district, on account of the experience acquired by him in the Commissioner's office, will be a good district officer. At present only four Deputy Collectors hold other posts. These are—Junior Secretary to the Board of Revenue, Nazul Officer, Lucknow, Personal Assistant to the Director of Land Records and Agriculture, and Assistant to the Commissioner of Excise. Ten more places will be open to the Deputy Collectors if Commissioners' Head Assistants are also taken from their ranks. The term of office as assistant to Commissioners should not be less than five years.

(viii) Members of the Indian Civil Service when appointed as Settlement Officers are allowed a local allowance of Rs. 150 per month because their work is considered of an arduous nature. Deputy Collectors who are now appointed as Assistant Settlement Officers do not get any such allowance. Formerly they used to receive it but it has been stopped recently. The payment of the local allowance should be revived.

(ix) A practice has gained ground recently to place Deputy Collectors under too much subordination. It is not only the Collector, the Commissioner, the Board, and the Local Government who are to be satisfied by them before they can hope for promotion. On the judicial side the District Judge and the High Court are also to be dealt with. Besides these, there are District Superintendents of Police and other European officers in the district. The officers in the Judicial line, for instance—a Munsif or a Subordinate Judge—have to look to the District Judge and the High Court only. Some method therefore should be devised to make Deputy Collectors more independent and relieve them of this too much subordination.

RAI SRI RAM BAHADUR called and examined.

45618. (*Chairman.*) You are an Advocate of the Judicial Commissioner's Court, Oudh?—I am.

45619. And Talukdar of Oudh?—Yes.

45620. And you have been for some years a member of the Imperial Legislative Council and also for ten years Vice-Chairman of the Municipal Board of Lucknow?—Yes, I am still a member of the Imperial Legislative Council.

45621. You are impressed with the difficulties under which Indians labour in going to England for the competitive examination?—Yes.

45622. And you would like to see a simultaneous examination introduced into India?—Yes.

45623. You would send successful candidates at the Indian examination to England to study in a University or some other institution for a period of two years after passing the examination?—Yes, because without going there for two years he cannot get that sort of training and knowledge of British institutions which are required for an administrator in this country.

45624. You would like to see the higher posts of the administration in the Executive branch remain in the hands of Europeans?—The superior posts should for some time remain in their hands.

45625. I gather that you recognise the difficulties of reconciling that with a scheme of open simultaneous examination?—I do.

45626. You would therefore be prepared, if these difficulties were insuperable, to accept an

examination of a separate character in India?—No. These posts are given by selection and not by mere seniority. I have said that in case we are not to get simultaneous examinations we might have an alternative.

45627. You would be prepared to take an examination of a separate character if you could not get simultaneous examinations?—Yes.

45628. In such an examination you would lay down that not less than one-third of the total number of vacancies should be occupied by Indians?—Yes.

45629. And you would combine nomination with examination?—Yes.

45630. What kind of nomination would you have?—The educational test should be the first test. Unless a candidate has sufficient education to stand on an equality with, those educated in England he should not be allowed to appear as a candidate for the examination.

45631. What would your educational test be?—He must have a degree in an Indian University; that is the only test we have at present. In case such an examination be held in India, facilities will become available for giving, in this country, a special sort of education to the candidate: when there is a demand there is a supply.

45632. Given this high initial educational test, you would follow it up with a competitive examination?—Yes.

45633. And then you would select a certain number of candidates from each province?—No.

45634. You would open up the Service to the whole of India?—Yes. If it is to be an examination for India it should be for the whole of India.

35635. You would not have any regard to the various provinces?—No.

45636. And you would still keep open the English door to Indians?—Yes.

45637. You would also keep up the listed post system for the benefit of the Provincial Civil Services?—Yes.

45638. And they should have the same kind of probation as the Indians and the Europeans who pass the examination in England?—Yes.

45639. You propose to bring young Civilians to India at the age of 26 or 27?—If the age for the simultaneous examination be raised, as I propose, the maximum should be 25. Then candidates would require some time for their probation in England.

45640. Would you bring candidates to India at the age of 25 or 27?—Yes, because they would then have more maturity of understanding.

45641. We have had a great deal of evidence all through India, pointing to the fact that the present age at which the Civilian comes out, is too old. What is your reason for wishing to see him come out even older?—As I have stated in my written answer, the Indians require to pass University examinations and they cannot take the M.A. degree before they are 22. The age for Matriculation is now fixed at 16 and it takes six years before a student can go up for the M.A. He is then 22, and he will require one year to pass the simultaneous examination, and there will be two years' probation. That will bring the age to about 26.

45642. If he passes at 22 and has two years' probation that makes his age 24?—I give one year for going to England and passing the examination there. If he has not to pass in England, but to pass a simultaneous examination in India, then I would not add another year.

45643. You are allowing a very large margin?—No doubt, but my reason is that they will be more mature, and of greater service to the administration.

45644. You do not agree with those who say that the young Civilian is in a sense too mature when he arrives at 25 and that it would be better to have him younger, when he can adapt himself more easily to Indian conditions?—I differ from that.

45645. It has also been represented to us that an officer who comes out at the age of 25 would be 60 before he has served his 35 years. Under your scheme he would be 62?—He would.

45646. Do you not consider that that is too old for an officer in the Service?—In a very few cases. I give a minimum age and a maximum age. It does not mean that all of them will attain the maximum age.

45647. You are not in favour of any differentiation between the age-limit of the examination as between Europeans and Indians?—No.

45648. Supposing it were found that it was better for the Service that the age-limit for Europeans should be reduced, would you still hold that Indians should enter the service older?—Yes, because their condition is quite different; they have to learn everything in a foreign language and compete with Europeans in England whose language is English. Therefore the Indians labouring under that disadvantage must have a greater margin than Europeans have.

45649. Your argument is in favour of differentiation?—Yes, if the principle is accepted that the age for Europeans should be lower.

45650. Then you would favour a different age for Indians?—Yes.

45651. You would extend the system of listed posts?—Yes, there are certain posts which can with great facility, be given to Indians; for instance, the post of Inspector-General of Registration, which in my province is held by a Covenanted Civil Servant, but in Madras and Bengal is held by members of the Provincial Service. There is the post of Registrar of Co-operative Credit Societies, which can also be held by a competent member of the Provincial Service, as can also the Registrarship of High Courts, and of the Judicial Commissioner's Court. At present these posts are held by Civilians but I suggest they should be held by competent members of the Provincial Service. There are the Under Secretaryships of the Judicial and Financial departments under the Local Government which can also be held by the Provincial Service. At present in the Government of India there are posts of Assistant Secretaries, corresponding to Under Secretaries here, two of which I know are held by Indians at present.

45652. You realise that each of these posts means one superior and one inferior post the less available for the examination. Which would you prefer on the whole?—If we are not going to have simultaneous examinations I would

prefer that these posts should be filled by Indians who are members of the Provincial Service and I prefer it irrespective of simultaneous examination, because that would be a recognition of the merits of the members of that Service. If a member proves himself competent and has exceptional abilities then he can be promoted to these posts. It has been done in regard to the Inspector-Generalships in Bengal and Madras.

45653. Which would you prefer on the whole, that officers should be recruited by examination into the Indian Civil Service or that they should be recruited by promotion from the Provincial Civil Service?—I would have both. An entrance into the Civil Service by passing the competitive examination is one door, and the other door should be promotion from the Provincial Service of members who show exceptional merit. I support the proposition that the number of listed posts should be increased for the benefit of the Provincial Civil Service.

45654. And you would be prepared correspondingly to decrease the number of posts in the Indian Civil Service to be filled through examination?—Yes.

45655. You would pay listed post officers the same as Indian Civil Service officers?—Yes, the work is the same.

45656. Do you mean that they should be members of the Indian Civil Service?—Yes, and get equal salaries and equal status.

45657. You complain that promotion to the grades of Rs. 500 a month or over in the Provincial Service is made by seniority. Can you tell us how many officers have been passed over and left in the Rs. 400 grade?—I cannot give you the exact number.

45658. In reply to question (58) you say: "If by retaining the designation of the 'Provincial Civil Service' the distinction and disabilities which attach to its present form are also going to be retained, I am not in favour of it." What distinction and disabilities do you allude to there?—At present there are two services, the Imperial Service and the Provincial Service, and this is looked upon by the Indians with some disfavour, and the newspapers go so far as to say that the Provincial Service is a pariah service. There should be one Service. There may be divisions fixed for those who are recruited through the competitive examination and those who are recruited under the rules made for entrance into the Provincial Service.

45659. Are not you advocating what is a distinction without a difference?—There is no real difference.

45660. You would admit that the ordinary routine work must be carried out by the officers of the Provincial Service?—Of course.

45661. And therefore what you term a distinction is only the distinction which must obtain in all systems of government as between the more junior branches of the Service and the senior?—Yes.

45662. You say you would give privilege leave on full pay for one month to officers of the Judicial branch?—That is very important.

45663. Would this be in addition to the vacation?—The vacation is given in my province generally in September and October, but officers have to do much work especially when they feel indisposed. If a man feels indisposed in June and wants to take leave, unless he takes it on half pay he cannot get it. I know six men who died rather prematurely of overwork, Munsifs and Subordinate Judges. Therefore in order to prevent such cases it is better they should have one month's privilege leave on full pay.

45664. Out of regard to the fact that the present vacation comes at an inappropriate time you would substitute one month's leave on full pay?—Yes.

45665. How would you arrange the one month's leave to fit in with the work of the Service?—If a man takes any other kind of leave, for instance, sick leave, somebody is appointed as a substitute for him.

45666. Would not that lead to a good deal of dislocation in the courts?—Of course there would be some, but not much.

45667. (*Sir Murray Hammick.*) In your answer to question (65) you suggest that out of the total number of Judgeships a third should be given to barristers and vakils; do you mean that they are to be appointed direct as District Judges?—Yes.

45668. Do not you think that if you held out the chance of appointing a vakil as a District Judge you would have very little chance of getting a vakil to come in as a Munsif?—There are vakils and vakils, for instance, a vakil who is in a very good practice at the beginning would not accept a Munsifship, but a certain stage would be reached when a man would like to act as a Judge if he gets sufficient remuneration.

45669. But do not you think that a vakil at the beginning of his service, if he thought he could get a District Judgeship afterwards, would be very loth to take up the appointment of a Munsif. He would wait until he had a chance of being a District Judge?—I think it is very difficult for a beginner to make such a calculation.

45670. You do not think he would calculate like that?—No.

45671 You want to raise the maximum rate of pension to the members of the listed posts to Rs. 7,500?—Yes.

45672. And you say that that amounts to half the pension which is given to members of the Indian Civil Service?—Yes.

45673. Do you know that the members of the Indian Civil Service contribute very largely to their pension?—They do.

45674. It would not be a good reason to give the members of the Provincial Civil Service Rs. 7,500 on the ground that it amounts to half the Civil Service, because the full pension given to the Civil Service, apart from their contribution, is nothing like double Rs. 7,500?—It is £1,000 a year.

45675. But a great deal of that has been contributed by the Civil Servant himself?—Yes.

45676. In your answer to question (59) you say that education has advanced by leaps and bounds, but surely until about five years ago it was a very general complaint that education in this country was receding rather than

advancing ?—It has not increased as we should like amongst the masses.

45677. But 15 years ago the complaint used to be that the superior education had receded rather than advanced. That used to be the complaint in Lord Curzon's time. But you think it has advanced all through by leaps and bounds ?—Yes.

45678. What is the difference between the education at the present day and the education of 1896 ?—Since then more facilities have been placed in the hands of students in the colleges and in secondary schools, and they are better educated now.

45679. What you wish to say is that education has gone up by leaps and bounds in the last five or six years ?—I should say ten years.

45680. Are you aware how many Indians passed the Civil Service examination last year in English ?—The "*Pioneer*" gave some names, and I think there were two or three.

45681. You would be surprised to hear there were seven ?—All of them did not pass, I believe.

45682. Seven passed the examination ?—Yes; I believe that was right.

45683. (*Mr. Chaubal.*) In your answer to question (16), where you arrange the grades as you think they should be, why do you put down the third grade Munsif at Rs. 250 and the corresponding grade of Deputy Collector at Rs. 300 ?—The Deputy Collector is required to keep a bigger establishment than a Munsif. The Deputy Collector has to go on tour and keep horses and conveyances, but the Munsif remains at the station where he is located.

45684. Why do you not make the same restriction further on in the different grades ?—I think they are substantially the same. For instance, I put the first grade Munsif on Rs. 400 and the 5th grade Deputy Collector on Rs. 400. I put the 4th grade Subordinate Judge at Rs. 500 and the 5th grade Deputy Collector at Rs. 500.

45685. In the higher grades the Judge of the Small Cause Court does not have to go about, does he ?—He belongs to a different category of officers. I put the Subordinate Judges at Rs. 1,000 for the first grade and I put the first grade of Deputy Collectors at Rs. 1,000.

45686. When you speak of officiating promotion in your answer to question (62), do you mean officiating promotion when there is a difference in the grade or when a person officiates in any other place ?—Both.

45687. Supposing there are ten men in the Rs. 400 grade and one man takes leave and another man in the same grade works for him, why should he get any promotion ?—The same rule should be followed as is followed in the Indian Civil Service.

45688. Supposing there are ten Munsifs in the Rs. 400 grade and the 5th man takes leave and the 6th man does his work, there is no difference of work and perhaps no difference of place : why should he get any officiating promotion ?—I mean if there is a promotion from one grade to the other.

45689. If a Rs. 400 man acts for a Rs. 500 man the man who acts in the higher grade should get officiating promotion ?—Yes.

45690. In your answer to question (65) you say that at least one-third of the listed posts should be thrown open to members of the Provincial Service ?—At present I think there is no limit.

45691. My impression is that all the listed posts are generally filled by the Provincial Service but you say one-third should be thrown open to them ?—That is a mistake of mine.

45692. In answer to question (47) you say there is no equitable reason why any difference in the emoluments of the two classes of officers holding the same kind of post should exist. Is it not an equitable reason that a man who leaves his country and goes to serve a very long distance from his home should get more ? Supposing you are getting Rs. 500 a year here you would not like to go and serve far away from your country at Rs. 500 ?—The posts which are given to the members of the Indian Civil Service, especially those who come from foreign countries, have handsome salaries and no complaint can be made in that respect.

45693. If an indigenous agency is to be employed, is it not to the advantage of the country that there should be a saving to the revenues of the country ?—If there is to be an overhauling of the whole system and a large number of the indigenous agency is to be employed I would advocate that.

45694. Then it is because the posts are few that you want the same prestige in both the classes ?—Yes.

45695. In your answer to question (18) you say that the statutory reservation of posts would be against the wording and spirit of the existing statutes. I do not quite follow that. It is not the fixing of a proportion but it is the reserving of posts for the Service. How is that against the wording or spirit of the statute ?—If the statute says that posts are given without any regard to caste or nationality then these posts should be given according to the merits of the candidate.

45696. The question is not about reserving posts for any race or caste but about reserving posts for a Service which may consist of Indians as well as Englishmen. When you are asked as to whether certain posts should be reserved for the Indian Civil Service, how would any reservation be against either the wording of the Act or the spirit of the Act ?—Theseposts are to be without any consideration of nationality, but if you are to reserve certain posts to the members of certain nationalities that would be going against the spirit.

45697. It is not for any nationality but for the Service. The Indian Civil Service is not a Service consisting of any particular nationality ?—No.

45698. It means that if we find a member of another Service fit to discharge the duties of certain posts that post should or should not be given to him ?—I see.

45699. (*Mr. Madge.*) When contrasting the qualifications of the young Civilian with the experienced Subordinate Judge, you attached great importance to his knowledge of the language of the country and of the manners and customs of the people; but in answer to question

(11) you think that bifurcation should be made at the commencement of the official career of a Civilian. Do you mean that the man in the Executive branch of the Service does not acquire, by mixing amongst the people, a better knowledge than if he were at once removed to the Bench at head-quarters?—So far as a knowledge of the manners and customs go he has the same facility.

45700. You want to make the bifurcation immediately he comes into the country?—No. I want it after a probationary service. Unless he has some time to show his capacity you will not be in a position to say whether he is fit for the Judicial branch or the Executive branch. The selection should be made as soon as he has served his probationary period.

45701. You mean that bifurcation should be made at the commencement of the official career of the Civilian, after his probation?—Yes.

45702. With reference to the expression "Natives of India" you think a Native of India ought to mean a person born of pure Indian parents and not of mixed European or Indian descent or of unmixed European descent, but domiciled in India. If you mean that an Indian ought to be called an Indian then I agree with you, but here the distinction "Natives of India" is a phrase invented for the purpose of giving domiciled Europeans and Anglo-Indians accessibility to the Service. Do you mean to exclude them?—No. I have modified my opinion since I wrote that answer.

45703. With reference to the reservation of any office, in answer to question (19) you say you do not want many offices to be reserved for the Indian Civil Service, but a little further down you say that the higher posts of the Administration in the Executive branch should remain in the hands of Europeans. That brings in greater reservation than the one you object to?—I mean, for instance, that the Lieutenant-Governorship should not for the present be given to an Indian.

45704. Do you extend that to Commissionerships also?—No.

45705. With regard to the Statutory Service, you refer to four men who have come in; do you think the system was bad in itself or that the selections were a mistake?—The system was not bad, but the selections were made so badly that the whole of educated India was against them.

45706. Do you think there was no way of improving the selection?—I have not gone into that. Only a few members of the Statutory Civil Service remain and they will serve their term within a few years and there will be no longer any Statutory Service.

45707. You have four in this province?—Yes.

45708. They have got along all right, have they not?—I would not say anything about that.

45709. You think that the majority of European Civilians do not mix with the people very much. Is that because they have heavier work than before or because they leave the country oftener?—They have heavy work and also they have their own society. It is not what it used to be in olden times when the Civilian had to mix somehow or other with the Indians. Now they have their own society and even in the smaller stations they have their clubs and they associate with their own members. That is the general complaint.

45710. You do not think that the heavier work gives them less freedom to move about than they did before?—No.

45711. You say that a Civilian who has served in India for a very short period, say five or six years, gets an officiating District Judgeship. Is that common?—No, sometimes.

45712. It is comparatively rare?—Yes.

45713. Racial considerations, you say, should not enter into the matter of making appointments to the Provincial Service. You do not think that communities should be represented?—No; I say it should be according to fitness.

45714. (*Mr. Fisher.*) You are a B. A. and an M. A. of Calcutta University. Can you tell me whether the degrees of the Calcutta University possess superior prestige to the degrees in other Universities?—I do not think so now. When I took up my degrees that was the only University in which I could do so.

45715. Would you say that the reputation of the B. A. degree stands about as high in all the Universities in India?—I think it does.

45716. In your answer to question (51) you say that the practice of condemning officers unheard prevents men who are really capable and of independent character from entering Government service, from which they keep themselves aloof. Am I to understand from that that there are no capable officers of independent character in the Provincial Civil Service?—There are; but their number is not so large as it ought to be. Some of them do not enter into Government service with that pleasure which people in other countries do. A Collector makes reports against a Deputy Collector subordinate to him without anything being known to the latter.

45717. You will admit there is independence in the Provincial Civil Service?—Yes. There are many independent men.

45718. (*Mr. Macdonald.*) You say the justification you have for asking for European standards of pay for listed posts is that listed posts are so very few?—They are very few, but besides that, when the same kind of work is expected from them, and it is only men of special qualifications who are selected for the posts, I think they should get the same salary as a European Civil Servant would get if he were holding the post.

45719. You have said there is a difference between the European who comes out here and the Indian who would be recruited here, and there might be a justification for higher European pay on account of the different conditions, and that the reason why you wanted Indians who occupied listed posts to have this extra high European pay for their work was that the listed posts were few in number?—I was asked whether if we employed an indigenous agency the cost of administration would decrease. I say that if we overhaul the whole system, and a larger number of Indians are appointed, that would apply; but when there are only a few posts at present given to Indians this difference should not be observed.

45720. Supposing the Government were to adopt a policy of increasing the posts given to Indians, would it be justified in your opinion in

keeping the pay less than the pay given to Europeans?—Yes. If a substantial increase is made in the posts given to the Indians, I think it is the duty of every Indian from patriotic reasons to serve his country and accept a smaller pay than a European does.

45721. The Chairman asked you whether this extra month's leave for the Judicial Service was to be in substitution for the vacation and you said yes. But I understand you want the vacation and the one month's leave?—I do not think the period of vacation can be altered.

45722. So that it is not in substitution?—No.

45723. In reply to Sir Murray Hammick you admitted his point that your answer to question (63) was a little bit inaccurate where you say that the maximum limit of provincial pension should be raised to Rs. 7,500 *per annum*, which is half the amount allowed to members of the Indian Civil Service. Is it literally true that this is half the amount paid to members of the Indian Civil Service?—Except the Judges of the High Court.

45724. The Indian Civil Service members get £1,000 towards which they themselves contribute anything between £400 and £600; so that they do not get £1,000 a year as a pension but from £600 to £400. Therefore your Rs. 7,500 *per annum* is not half the pension which the Indian Civil Servant gets. It is practically the same. Is that so?—I do not see it.

45725. It is an important point, because we do not want to have Provincial Servants imagining that we are doing them any grave injustice if we do not accept your figures. If you get £1,000 and you pay £500 for it you do not get £1,000?—No.

45726. Therefore your proposition, in answer to question (63), is that the Provincial Service should get from the Government exactly the same as the Indian Civil Service gets?—I do not mean that. The rules applicable for the pension of the Provincial Civil Service are quite different from the rules applicable to the Indian Civil Service. In the former case the rate is regulated according to the monthly pay which a member of the Provincial Service gets, while the Civilian gets £1,000 a year on retirement whatever may be the salary. Supposing a Deputy Collector gets Rs. 500 a month, he would not get any maximum amount, but would get the half or one-third or whatever it may be. I fix a maximum limit. A man getting a salary of Rs. 3,000 a month under the present rules would not get more than Rs. 5,000 a year.

45727. I am quite aware of all that, but I am simply going upon your point. If this Commission were to recommend a sum considerably under Rs. 7,500 I do not want it to be said that that sum is less than half of what the Indian Civil Servant gets, as would be said if your statement is accurate?—In the case of the Indian Civil Servant the pension goes up to £1,000.

45728. It goes up to £600?—If you deduct the other it is that amount. In the case of an Indian whatever salary he may get he cannot get more than Rs. 5,000 a year. Therefore I would have a fixed maximum not to be exceeded, but at the same time not have such a low minimum as at present.

45729. Does it not come to this, that if we were to recommend that the Provincial Service should have a maximum limit of one-half of the pension the Government gives to the Indian Civil Servant the maximum limit would not be Rs. 7,500 but something like half of it?—I say half the amount which is allowed to members of the Indian Civil Service. It was not my object to put a maximum or minimum limit. It was simply by way of illustration that I said that at present the pension given to a member of the Indian Civil Service is £1,000, which comes to Rs. 15,000 a year.

45730. But as a matter of fact that is not the pension but only about £600 of it is pension?—I quite understand that.

45731. (*Mr. Sly.*) I should like you to explain a little more clearly your scheme for the Judicial branch of the Service. I understand you wish the Civilian to select for the Judicial branch immediately on the completion of his probation?—Yes.

45732. About how many years will he have been in India?—Two years.

45733. And you think that two years will be quite sufficient to give him an adequate knowledge of the people of the country, sufficient to join the judicial court?—I have said in answer to another question that at first cases of small value should be given to him, and as he becomes more experienced, after two or three years' service in that branch his jurisdiction should be enlarged gradually.

45734. But the experience of the country and of the people and the rest of it can be gained sufficiently in court without any work outside the court?—I would not go so far as that. A Judge who works in court has facilities for getting the experience as well as an Executive officer who travels about.

45735. After what number of years' service do you think he should become a District Judge?—After not less than seven years' experience as a Judicial officer.

45736. That would be seven years *plus* two years?—Yes, nine years.

45737. You say that in some cases Judges have been appointed even after three or four years' service?—Yes. I can show from the Civil List four or five instances in the past.

45738. Can you give me the names? I have been told that there is no man who has officiated for less than 7½ to 8 years' service.—I think it was five years and some months. I cannot give the exact time, but I believe it occurred four or five years ago.

45739. The youngest man officiating at the present time has over thirteen years' service?—I cannot speak of the present.

45740. The theory of recruitment which decides that you shall not officiate until after eight years' service is just about what you want?—Yes.

45741. In addition to that I understand you want some Judgeships recruited from the Provincial Judicial Service?—Yes. One-third should go to members of the Provincial Service, one-third to members of the Bar, and one-third to

the Indian Civil Service. That is the same proportion which we find in the letters patent of the different High Courts; they put down one-third from barristers, one-third from the Civil Service, and make no differentiation with regard to the remaining third.

45742. You think that one-third for the Provincial Civil Service will be adequate recognition of the claims of that Service?—Yes.

45743. (*Mr. Abdur Rahim.*) I should like to draw your attention to your last answer to question (65) where you say a practice has gained ground recently to place Deputy Collectors under too much subordination. You say: "It is not only the Collector, the Commissioner, the Board, and the Local Government who are to be satisfied by them before they can hope for promotion. On the judicial side the District Judge and the High Court are also to be dealt with. Besides these there are District Superintendents of Police and other European officers in the district." Surely you do not suggest that Deputy Collectors are subordinate to District Superintendents of Police and other European officers in the district?—No, but they are treated as subordinates.

45744. In what way?—A case arose in these provinces some years ago in which a Collector did not go to pay his respects to the District Superintendent and he was rebuked for that.

45745. How long ago was that?—In Lord MacDonnell's time I think.

45746. Does that state of things still exist?—Since then all Deputy Collectors consider it their bounden duty to go and pay their respects to Superintendents of Police.

45747. Does that in any way interfere with the discharge of their duties independently and impartially?—That depends on the character of the Deputy Collector.

45748. Generally speaking?—I should not say generally, but such an intercourse with the head of the police is a thing that is not desirable, and also there is the apprehension that the District Superintendent might say something against the Deputy Collector to the District Officer and that might have an effect on his future prospects.

45749. Has that produced any effect on the reputation in which the administration of criminal justice is held in this country?—The general opinion is that the District Superintendent has a hand in the decision of the cases which are decided by the Subordinate Magistrates. Although in some cases that is utterly false, but in some cases it is true.

45750. There is the general apprehension?—Yes, there is the general apprehension.

45751. You know this from your experience in the profession?—Not from my actual experience because I did not practise in those courts.

45752. But you are in touch with people who do practise in them?—Yes.

45753. As regards vakils who are willing to accept a Munsifship at the very beginning of their career at the Bar, after about three years' training, and the vakils who would be likely to be appointed to District Judgeships if such places were thrown open to the Bar, I suppose the difference is this. A vakil at the very beginning of his career, except for passing his examination, has really had no practice worth speaking about?—That is so. He has very little practice.

45754. So that all you get in a man of three years' standing is substantially that he has passed an examination in Law?—Yes.

45755. With some slight experience of working in court, seeing people conducting cases, discussing law in the Bar Library, and things of that kind?—Yes.

45756. When a vakil is of 10 or 15 years' standing and has attained a good practice he has not only had a general education and passed his examination in Law, but he has been continually studying Law and observing practice and has had considerable experience himself?—Yes.

45757. And he would have power to deal with evidence and apply Law to cases, and Judges would be in a position to find out his capabilities?—Yes.

45758. So that one class would be totally different from the other class?—Of course.

45759. Are there vakils and barristers of sufficient practice and standing, say 10 to 15 years, who would be willing to accept District Judgeships?—I think so.

45760. Men in good practice?—Yes.

45761. What income would they be making?—It depends on the place where they are practising. At Lucknow, if a man practises, after ten years he would make more than Rs. 2,000 a month.

45762. Would he be prepared to begin at the last grade of District Judge at Rs. 1,600?—Yes. That would be a sure income and the work would not be so hard as he would have to do in practice.

45763 The work he would have to do as a District Judge would be less hard than he is accustomed to at the Bar?—Yes, and there is the certainty of the income.

45764. And pension?—Yes, and prospects, and also a better position.

45765. Are there many such men in the important centres of this province?—So far as this province is concerned I know there are men, not many.

45766. Supposing you were given a choice whether you would have men of that class for District Judgeships or men promoted from the Provincial Service, whom would you prefer?—From the point of view of the efficient administration of justice I would prefer a member of the Bar.

45767. Your Provincial Judicial Service is a very efficient Service, I understand?—Yes, with very able and exceptional men.

45768. You do suggest that one-third of the District Judgeships should be recruited from the Provincial Service?—Yes.

45769. (*Lord Ronaldshay.*) With regard to what you have said about the Provincial Service, it is an honourable Service which does very admirable work?—Yes.

45770. You have told us that some of the newspapers in this country have designated it as a pariah service?—Ever since the Public Service Commission divided the Services into two it has been said that the best prizes go to the Indian Civil Service and that those which are not

such go in the Provincial Service. That is the notion, but I do not agree with it.

45771. When a newspaper says the Provincial Service is a pariah service you do not agree with it?—No.

45772. But you would agree that any such observation on the part of a newspaper should be disregarded as nothing more than a foolish and rather misplaced attempt at smart writing?—Yes.

45773. When you were asked by Mr. Chaubal whether you thought it was necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, I think you rather misunderstood the question, because in reply you say that such a statutory reservation would be against the wording of the spirit of existing statutes. But as a matter of fact are not these posts already reserved to the Civil Service under the schedule to the Act of 1861?—They are.

45774. So that it would be incorrect to say that it is contrary to the spirit?—Yes. I meant with respect to the announcements which have been made since then, especially the gracious Proclamation and the speeches made by His Majesty the King that there should be no distinction.

45775. That is rather a different point. The object of reserving certain posts to the members of the Indian Civil Service is to give a guarantee to the recruits that their legitimate rights will be respected?—Yes.

45776. Do you think in the interests of recruitment to the Service it is desirable that that guarantee should continue to be given to them?—I will not say anything against the prospects being held out to the candidates that they will have these posts reserved for them.

45777. You suggest the Judicial officers who are recruited from the Indian Civil Service should not be allowed to have appellate jurisdiction until they had been trying original civil cases for at least seven years. How would you arrange for these officers being given these seven years' probation in trying original civil cases?—That is being done now. Some of the members of the Indian Civil Service get the powers of Subordinate Judges.

45778. Are you referring to the four posts which are known as Sessions and Subordinate Judges?—Yes. This scheme has been introduced recently. Formerly a Joint Magistrate who never did any civil work in his life was made a District Judge.

45779. I only wanted to be clear what arrangements you would make for giving these men this seven years' probation. I understand you are satisfied with the system that has been recently introduced into this province of creating posts of Sessions and Subordinate Judges?—Yes, but I have suggested something more in one of my answers. The young Civilians should not be empowered to try cases without limit. They should begin at Rs. 200 for instance. When a Civilian comes from England he first gets third-class Magistrate's powers, and as he shows his ability he gets second-class powers, and then full powers. In the same way there should be a graduation. He should begin with small civil cases and after some experience should get cases of greater value.

45780. (*Mr. Tudball.*) If you appoint a member of the Bar direct to a District Judge what effect will that have on the members of the Provincial Judicial Service?—I have said in my reply that one-third should go to the members of that Service.

45781. If you appoint a man direct from the Bar what effect will it have on the Service itself?—The members of the Provincial Service must know when they enter that Service that they cannot get more than one-third. They will know the limit of District Judgeships they can get.

45782. Do the members of the Provincial Judicial Service and members of the Bar come from the same class of society?—Yes, so far as the Indians are concerned.

45783. And they go through the same examination?—Yes, and the same education.

45784. They are more or less on an equality?—They are in some respects; I should not say all.

45785. As a matter of fact, does a member of the Bar in India practise on both the criminal and civil side?—Very few.

45786. They generally either take criminal work or civil work?—Yes.

45787. Do you think it is possible to recruit the best man each year for Government service from those who pass the LL.B.?—I do not think that passing an examination is the only test.

45788. Is it not possible to recruit the best men?—It is possible, if the person who stands first accepts it. But he must have had three years' practice.

45789. Before the Provincial Judicial man is appointed to a Judgeship does he not have something like ten years' experience as a Judge on the Bench?—Yes.

45790. Is that valueless?—No.

45791. Is it not an exceedingly good training for a man to do judicial work for ten years?—I should not say exceedingly good training but I should say it is good training.

45792 Is it not just as good training as practising at the Bar?—Yes, taking the two things as equal I say give one-third to members of the Bar and one-third to the Service.

45793. It is a question of the capabilities of the Provincial Judicial officer; and the Munsif who has practised for ten or twelve years has obtained just as valuable and good experience as a member of the Bar who has practised for ten or twelve years?—I should say that the knowledge of a member of the Bar in a good practice is better and more extensive than that of a Munsif who has served for ten years.

45794. How many cases a day come before a Munsif's court on the average, taking all classes of cases?—I cannot say.

45795. How many cases per day does a member of the Bar appear in in court?—It depends upon the practice of that member of the Bar and his choice of taking up cases.

45796. As a matter of fact, as far as numbers are concerned, do not more cases pass through the hands of a Judge than through the hands of a member of the Bar?—A member of

the Bar has greater opportunity to learn those cases and to turn up the Law than a member of the Bench.

45797. Why?—Because he has to prepare his case and look up all the rules for and against, while the Judge on the Bench simply accepts the cases that are brought forward before him. They confine their knowledge to what is produced before them by the Pleaders of the parties.

45798. Do not the Pleaders on both sides present their case in proper form and with all the law which assists them?—Not always.

45799. Then the members of the Bar do not always do their duty?—Sometimes they do not, I do not say all members of the Bar.

45800. What pension would you give to the man who is promoted to a District Judgeship from the Bar, and after what length of service?—I have not thought of that. That can be dealt with when the scheme is accepted by the Government.

45801. Who would select them?—The High Court.

45802. How would they be able to differentiate between the claims of a man in practise at Moradabad, Cawnpore, Allahabad, &c.?—I think that would be on the recommendation of the District Judges.

45803. How would the recommendation of the District Judge operate as against the knowledge which the Judge of the High Court would have of the men actually practising before him?—It is often done. We find not only in India but in England Barristers who are known to the Judges and are friends of the Judges get the posts more easily than others.

45804. In other words it lays itself open to jobbery?—I should call it patronage.

45805. Patronage is not a pleasant thing, is it?—It may not be.

45806. But you would maintain it?—Yes, for one-third of the members of the Bar.

45807. You have differentiated in your evidence between the salary that would be given to the lowest grade Munsif and that which would be given to the lowest grade Deputy Collector. You say the Deputy Collector has to keep a horse?—Yes, and other conveyances.

45808. A motor car?—Sometimes a trap.

45809. As a matter of fact do not the majority of Munsifs have to keep a horse and trap, or do they walk to court?—I know Munsifs who have places of abode near the court and do not require anything.

45810. And there are many who reside at a considerable distance?—Yes.

45811. As a matter of fact does a Deputy Collector receive travelling allowance when he goes out into camp?—He does.

45812. How often does a Munsif draw travelling allowance?—Not at all.

45813. What is the travelling allowance given for?—For the expenses of the Deputy Collector while on tour.

45814. Including the expense of his horse?—He gets a fixed allowance.

45815. As a matter of fact, those members of the Bar who are appointed to Munsifships are, under the present system, appointed somewhere close to the age of 30, are they not?—Yes.

45816. Would it not be very much better if those men were appointed at about the age of 25 or 26?—Supposing a man takes an M A. degree and then goes in for the LL.B.

45817. Is it necessary for him to take the M.A. before he takes his LL.B.?—That is generally the course adopted.

45818. My experience is that a man takes his B.A. about 20 or 21, and then his LL.B. and very infrequently touches the M.A. Is not that a fact?—Yes.

45819. He takes his LL.B. about 22 to 23?—If he passes right along he takes it about 23.

45820. If you select your candidates quickly at the end of two years' experience at the Bar, would you not have a better chance of getting them before the good men had been able to see that they would make a fortune at the Bar?—You can take a man after two years' practise.

45821. Would you not be able to get the good man, especially if you gave the lower grade Munsif a good salary of Rs. 300 a month?—I think you can get better men than you get at present.

45822. And these men would make better District Judges later on?—Yes.

45823. In that case would it be necessary to take men direct from the Bar?—I do not see that the two things clash, because one is selection from a certain class of people and the other from another.

45824. Take the two instances of direct selection and appointment from the Bar, did not they as a matter of actual fact cause a great deal of heartburning in the Provincial Service?—That would be the case in every instance.

45825. I can give you one instance in which the men appointed direct from the Bar was a man who passed very much below another person in his examination, and he was appointed direct from the Bar and put over the head of the man in the Provincial Civil Service, who naturally felt it. Do not you think that is a hardship?—It is a hardship.

45826. (*Mr. Kanhaiya Lal.*) You suggest a difference in salary because you say a man belonging to the Provincial Executive Service has to keep up two establishments and go on tour. You have further admitted that the Deputy Collector is entitled to travelling allowance for the two months he is touring. But the difference you make amounts to Rs. 50 a month. That is to say, in consideration of the touring season of 60 days you allow him not only the travelling allowance under the rules but also an extra sum of Rs. 600 per year. Is not that excessive?—I should not say so.

45827. You allow him so much more on account of the greater establishment he has to keep during the touring season?—It is not only during the touring season that a Deputy Collector has to go out; he has to go out also in other seasons.

45828. For a day or two?—For a day or two, for a week, or ten days. He is often deputed by the Collector to go to the mufassal.

45829. For that he gets an extra allowance?—Yes, but that means a dislocation of his family arrangements. A Munsif remains at one place.

45830. Why do you allow as much as Rs. 600 over and above the travelling allowance

admissible under the rules?—Would the extra cost amount to that much?—The Deputy Collector is sent within the limits of his district and those places are not far distant, so that it makes a substantial addition to the travelling allowance.

45831. If he has to travel far he makes more?—Yes.

45832. I suppose you consider it necessary to compensate only the man in the 7th grade for his extra expenditure by giving him Rs. 600 a year?—In my opinion he requires more than a Munsif.

45833. You would allow him Rs. 50 *per mensem* all the year round in addition to travelling allowance?—Yes.

45834. You consider that preferable to raising the scale of travelling allowance?—Yes.

45835. Would it not affect recruitment if the Munsifs get lower salaries, and divert the candidates from the Judicial Service to the Executive Service?—It is not everybody who can get a place in the Executive Service under the rules. There are certain qualifications required from the candidates and certain hard-and-fast rules are laid down. I think entrance into the Provincial Executive Service is more difficult than entrance into the Judicial Service.

45836. But if a man possessed those qualifications you would be diverting him from the Judicial Service to the Executive Service by giving a higher salary to the Deputy Collector?—It would depend on the inclination of the man which of the services he would choose.

45837. Would it not affect recruitment prejudicially?—I do not think so.

45838. You have also said you would get a better class of men if you give a starting salary of Rs. 300. I suppose you recognise the necessity of selecting a better class of men for the Judicial Service?—Yes.

45839. Are you prepared to recommend a modification of your original proposal, that the salary should be fixed at Rs. 250, by suggesting Rs. 300?—I would not be sorry if the pay of the Munsif started at Rs. 300.

45840. Would you recommend it?—Yes.

45841. In your written answers you say that in order to provide a remedy for the slowness of promotion one-third of the listed appointments should be thrown open to members of the Provincial Civil Service; and then you said it was a mistake?—I said that at least one-third of the listed posts should be thrown open to them.

45842. Did you mean all the listed appointments or one-third of the total judicial appointments?—I meant that if no time-scale is accepted at least one-third of the listed posts should be thrown open to the members of the Provincial Service, but I find in the rules that all of them are open.

45843. So that the correction you would make is that all the listed posts should be thrown open?—Yes.

45844. With regard to what you have said about privilege leave, is it your meaning that the Provincial judicial officers should get privilege leave on full pay in addition to the vacation?—Yes.

45845. You consider the vacation to be necessary because of the monotonous, sedentary and mental nature of the work they have to do?—Yes. They have very hard work to do. I know of six cases in which people died from overwork.

45846. *(Mr. Fasih-ud-din.)* You say that you propose the creation of two posts of Under Secretaries for the Provincial Service. Am I to understand that your reason for saying so is that the head of the department should be more in touch with the feelings and aspirations of the Indian community and should look at things from a purely Indian point of view?—Yes.

45847. Would you let me know whether the travelling allowance now given to Deputy Collectors is sufficient as compared with the travelling allowance given to members of the other departments, such as the Police and Opium and others?—I have no personal knowledge of that matter.

45848. When Mr. Chaubal asked you about your suggesting the same pay in the higher grades of Deputy Collectors as the pay of Sub-Judge you did not give any reason. Is it your reason that the extra expenses are not of much account when the Deputy Collector rises to a certain limit in the matter of pay?—I make a differentiation only in one grade.

45849. Is that because you consider the extra expenses which a Deputy Collector has to incur are not of much account when the pay has reached a certain limit?—Yes.

45850. I believe you have had a great experience of Deputy Collectors after their retirement?—Yes.

45851. Do you think that many live very long to take their pension?—Very few.

45852. What is that due to?—Hard work, or it may be due to their not having anything to do after they retire.

45853. Would it not be advisable to reduce the maximum age-limit for voluntary retirement to 25 years?—I would be in favour of 25 being the maximum limit and that a man if he desires could retire at that time.

45854. I believe you have not practised in the courts of Deputy Collector?—No.

45855. You are purely a civil practitioner?—Yes.

(The witness withdrew.)

WILLIAM JOHN DWYER BURKITT, ESQ., I.C.S., District and Sessions Judge, Saharanpur.

Written answers relating to the Indian Civil Service.

45856. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—It is not perfect, but works well on the whole. I do not think that any other system is practicable.

45857. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—There are occasionally men for whom no suitable post can be found. But these are very few, and under no

system would it be possible to guarantee that none such would get into the service.

45858. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As regards Natives of India, my answer is no. But so few get in that it is not worth while altering the system on their account.

45859. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—I think not.

45860. (6) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by head-masters of schools approved or otherwise: (*b*) selection by authorities in Universities approved or otherwise: (*c*) nomination by head-masters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) any other method?—For the examination in England I would not recommend any other system.

45861. (7) What is your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—While I am in favour of increasing the proportion of Indians in the higher posts, I am opposed to simultaneous examinations. I do not think the principle of appointment without any kind of selection or nomination is suitable to India. I think the result of a purely competitive test would be to give certain classes of the community an undue preponderance. It would lead to members of the more intellectually advanced sections of the community being placed in positions for which they do not possess the requisite moral or, indeed, physical qualities.

45862. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's dominions?—There is no serious demand for this so far as I know. I think it quite unnecessary.

45863. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I think separate examinations in each province less objectionable than a separate examination for the whole of India. This would prevent such a thing, for example, as a Madrasi Brahman being posted to a Punjab district or Judgeship. Speaking for the United Provinces, I think that in the course of the next 10 to 15 years a third of the Judgeships and a quarter of the Collectorships might be filled by Indians, but at present I do not think there are suitable men available to fill these posts.

45864. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I would fill the posts by promotions from the Provincial Service. The quality of the men in the Provincial Service is not perhaps sufficiently high at present. But it is improving. Speaking from my knowledge of the Judicial branch I think it has improved considerably of later years. In the future the great improvement in prospects arising from throwing open a considerable number of posts in the Civil Service would lead to a still more marked improvement. In order to secure that, Provincial Service officers should have the opportunity of rising to the highest posts. I would select them comparatively early in their service, and not at the end of it, as is done in filling listed posts at present. I am in favour of a due representation of all classes of the community. Under my proposal this would be comparatively easy to arrange.

45865. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India," in India do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Yes, I would leave the open competition as it is. But I would give the men appointed in India exactly the same pay as those selected by open competition, so that there might be no inequality.

45866. (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—See answer (10). My proposal is to expand the present system of promotion to listed posts. Of course the present listed posts would be included in the posts which I propose should be filled by Indians.

45867. (13) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you propose?—No, beyond throwing open one-third of the posts to the Provincial Service. I am entirely opposed to appointments from the Bar to posts of District and Sessions Judges. In the three district Bars with which I am acquainted I can hardly call to mind any practitioner suitable for such an appointment. As against the Provincial Service I do not think the Bar has any claim to appointments. The members of the Bar had the option of going into Government service. They selected not to do so for their own good. It would therefore be unfair to allow them to snatch away the prizes from the men who have toiled for Government in low paid posts. So far as the Indian Civil Service is concerned it must be recollected that a proportion of the men selected

by open competition have leanings towards judicial and not executive work. It will not be possible to usefully employ these men if judicial posts are taken away from the Indian Civil Service. There is no reason why they should not turn out thoroughly sound judicial officers both as regards civil as well as criminal work, if when finally selected for that branch reasonable facilities were given for a systematic study of civil law.

In my opinion it would be a most fatal mistake to have separate methods of recruitment for the Executive and Judicial branches. It would lead to antagonism between the two branches which would react most perniciously on the administration.

45868. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I am in favour of the 17—19 age-limit with a two years' probation. At 21 a man, while he has arrived at years of responsibility, is more open to receive impressions from new surroundings and finds it easier to pick up the ways of the country. Further, at the younger age a smaller proportion come out married, which is in my opinion a great advantage. A bachelor is much more useful as a junior officer than a married man.

45869. (18) What is the most suitable age at which junior civilians should arrive in India?—Twenty-one years.

45870. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—If the age-limit is 17—19 then a boy can use all the knowledge he has acquired in working for the Indian Civil Service.

45871. (43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I think the course of probation in England is essential.

45872. (44) What should be the duration of the probationer's course in England *(a)* under the present system of the open competitive examination, *(b)* under any modification of that system recommended by you?—I think the period should last for two years. Of course with the present age-limits this is impossible and for this as well as other reasons I think the age-limit should be lowered. In two years probationers may pick up a sound grammatical knowledge of the languages of their province, which is not possible in one year. Further, a two years' course gives time for a sound grounding in the principles of law. In my opinion a good many of the complaints as to the ignorance of law on the part of junior civilian judges is due to the shortening of the course in England.

45873. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Certainly.

45874. (46) If so, do you advise the election of one or more Universities for this purpose and for what reasons?—Yes, Oxford, Cambridge, or Trinity College, Dublin.

45875. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes; £150 a year, the sum paid according to the old system, is suitable.

45876. (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No; I think general University life is better, especially if the age be again lowered.

45877. (50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—*(a)* Yes, *(b)* yes.

45878. (51) Please examine the statement printed as appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course *(a)* under the existing system of the open competitive examination, and *(b)* under any modification of that system recommended by you?—In my opinion the course of studies prescribed for the final examination of 1912 is inadequate. This more particularly applies to the law course, which does not embrace the general principles of law. This is the first time I have seen the course laid down. It does not go beyond teaching the elements of what an officer must know to do magisterial work, and is quite insufficient to meet the needs of one intended for the Judicial branch. A man with an inclination towards judicial work who went through the 1891 course was enabled to lay the foundations of sound judicial knowledge, on which he could build by subsequent study, but there is little room to build on what is taught in the 1912 course.

45879. (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases;

(ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of *(a)* Indian Geography, *(b)* Political Economy, *(c)* Accounts. (i) I think this is most desirable; (ii) Yes, this should be systematically taught, otherwise it can only be picked up later on in a haphazard manner; (iii) The colloquial part is best left till the candidates reach India; (iv) *(a)* should certainly be taught; *(b)* and *(c)* should be optional.

45880. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England. I think for itself it is desirable that it should be spent in England and I think there are most serious difficulties and objections in the way of its being spent in India.

45881. (54) What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—If this is in lieu of probation at an English University I am opposed to it. If it is meant for officers after they come out, I do not think the idea is a good one. Much more can be learnt by working under a good district officer.

45882. (55) What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I do not believe in these courses. The best method of learning is to see work being done.

45883. (56) In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—No. Two years can be advantageously devoted to theoretical instruction. There is no advantage in this being imparted in India, and there are many advantages in its being imparted in England.

45884. (57) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers?—As I propose to recruit by promotions from the Provincial Service no such period is required.

45885. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Yes, except that some special training should be given later on to officers selected for the Judicial branch.

45886. (61) Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—I would not introduce Civil Law. Executive officers do not require it, and officers intended for the Judicial branch should receive special training in it later on.

45887. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers chambers or other), and what conditions do you propose?—I do not think any special arrangements are necessary in the case of executive officers, but a course of training is advisable for judicial officers. I am not in favour of a course in Europe. There are many points of difference between English and Indian Law. In my opinion the object would be best attained by a course of lectures in various branches of Civil Law, lasting about 6 months in the provincial capital. If the officers had already undergone a course in England similar to that laid down for the Final Examination of 1891, I think they would after this further course be reasonably well fitted for their duties.

45888. (65) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—See my answer to the previous question. The subjects in which lectures would be required would be Hindu Law, Muhammadan Law, Transfer of Property, Contracts, Specific Relief, The Law of Easements, The Law of Limitation, Civil Procedure.

45889. (66) Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Personally I am opposed to this. The object is, I presume, to improve knowledge of law. But far more law can be learnt by hearing appeals than by doing original work. In the latter class of work a great deal of time is spent in the more or less mechanical labour of recording evidence. This time is in my opinion more or less wasted, as all members of the Civil Service with few exceptions get ample practice in it during the early years of their service. In dealing with appeals, on the other hand, a great proportion of one's time is devoted to the consideration and solution of the questions of law which arise.

45890. (67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—I do not think so. Knowledge of law should bring its own reward, in promotion.

45891. (68) Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so,

please state your proposals?—I think not. In fact I think the system should be precisely the same for all.

45892. (72) The present theory underlying the conditions of service in the Indian Civil Service is that—*(a)* the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and *(b)* that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the system fully, but it is notorious that it has broken down.

45893. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The system is thoroughly sound.

45894. (87) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The promotion beyond the Rs. 2,250 grades should be entirely by merit. Officers who have earned their full pension should be retired compulsorily if not selected for posts higher than the Rs. 2,250 grades. Officers who are glaringly inefficient should be compulsorily retired on proportionate pensions.

45895. (92) Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—With reasonable promotion the grading is all right, but with the present increased cost of living and decreased attractiveness of life in India, a general increase in the rates of pay is necessary if the service is to be kept up to its former standard.

45896. (93) If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—The dissatisfaction is more particularly felt as to the rates of pay in the lower posts.

45897. (94) Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—Yes. Not in the United Provinces.

45898. (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—Within the main classes of appointments a time-scale would be easy to arrange and work. But difficulties would arise in the case of promotions from inferior to superior posts, *e. g.*, an officer entitled by the time-scale to the pay of a Joint Magistrate might be called on to take charge of a district, and *vice versâ* an officer entitled by the scale to the pay of a district officer might be holding an inferior appointment. It is clear that the pay according to the time-scale would not be suitable in such cases. But the scheme would be applied with modifications. In the former case a charge allowance might be granted, and in the latter a minimum rate should be fixed. I think the scheme should be restricted to grades of which the pay does not exceed Rs. 2,250.

45899. (103) If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—*(a)* By uniform recruitment, avoiding admitting a large number of candidates in one series of successive years, and a small number in another. *(b)* Certainly I cannot conceive any other principle possible.

45900. (104) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—According to the proposals I have made for future recruitment they should receive full pay.

45901. (106) Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—I think less leave is taken. Formerly the difficulty was to get leave, now-a-days all the *leaves* available are not taken. It is partly due to the increase of officers in the cadre, but it is also due to the fact that officers cannot afford to take as much leave as they used to.

45902. (118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—I think it is generally accepted as satisfactory by the members of the Service.

45903. (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—It would be

against the interests of both. It would accentuate the block in promotion, and make compulsory retirements, which I think are desirable, peculiarly harsh and invidious.

45904. (121) In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—The question has been often discussed. I think the argument that the pension of Civilian Judges should not be lower than that of Barrister Judges cannot be controverted. But I may point out that with the present age-limit for entering the service I do not think it likely that civilians, except in rare instances, will be able to serve 11½ years before being retired under the 60 years' rule.

45905. (124) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes, I would recommend the same scale of pensions as that which applies to the case of retirements for ill-health.

Written answers relating to the Provincial Civil Service.

45906. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—My experience is confined to the Judicial service. I consider that the present system of nomination by the High Court of candidates holding the necessary qualifications is quite satisfactory.

45907. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Speaking of the Judicial service, this is done as far as is possible. But certain classes owing to the paucity of candidates are not proportionately represented.

45908. (13) In particular, is the leave reserve adequate, and the system on which it is graded suitable?—*Judicial service.*—Yes. There is no difficulty as a rule about officers getting leave. The objection is that they do not take as much as they could and should.

45909.. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?—*Judicial Service*—Yes, but selections should be made earlier tenable, the officers selected to rise to the highest posts if found suitable. By the time a man has begun to officiate as a Subordinate Judge his qualifications are pretty well known. If he is considered likely to be a suitable person to promote he should be made an Assistant Judge so that his capabilities as a criminal Judge may be tested. If he proves satisfactory then he should be given an officiating appointment as a District and Sessions Judge. I would not make anybody a District and Sessions Judge unless he had held the office of Assistant Judge for at least 2 to 3 years.

45910. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—My answer is on the same lines as my answer to question (99) of the Indian Civil Service questions.

45911. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No. I think that Provincial officers promoted to such posts should in future be regarded in every way as equal to the members of the Indian Civil Service and receive the same rates of pay.

45912. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—*Judicial.*—No. My experience is that they do not take leave when they should, with the natural result that a good many break down. I think an examination of the statistics for the last ten years would bear out this view. The reason they do not take the leave is as a rule that they cannot afford to do so.

MR. W. J. D. BURKITT, called and examined.

45913. (*Chairman.*) You are a member of the Indian Civil Service and at present District and Sessions Judge?—At present I am officiating as Judicial Secretary.

45914. How long were you in the general line before you took up the Judicial?—Only from 1893 to 1898; then I went on settlement work until 1903; then I went home and came out from leave in 1905, and I officiated for six months as a Judge at Allahabad and was Registrar of the High Court for 4½ years, and then went on leave for six months in 1910. I came out in October of that year and I have been a Judge up till about a month ago, when I entered on my present post.

45915. You are satisfied with the present system of an open competitive examination in England?—I am.

45916. But you feel that sufficient Indians do not have an opportunity of passing?—I think more Indians should be brought in.

45917. Speaking of your own province, you say that in the course of the next 10 to 15 years a third of the Judgeships and a quarter of the Collectorships should be filled by Indians?—Yes. I am not prepared to insist on the Executive so

much because I have very little personal experience of it.

45918. Your proposal for the Collectorships would mean an increase of from two to eleven?—Eight I think.

45919. There are forty-four Collectorships now and a quarter of this would be eleven?—There are forty-eight, and therefore a quarter would be twelve.

45920. That would mean an increase of ten?—Yes.

45921. You would like to see that increase made in the course of the next ten years?—I think so, but that is a point I am not insisting on as I have very little experience of the executive.

45922. You are against simultaneous examinations, but you think it worth considering whether a separate examination by provinces might not be possible?—I am against examination in India at all, but I think that is the best way of doing it if an examination is decided on.

45923. You would prefer promotion from the Provincial Service at an early age?—Yes, comparatively early.

45924. And to pay your recruits at the same rates as members of the Indian Civil Service?—Yes.

45925. How many years would you say an officer should have in the Provincial Service before he gets his promotion into these listed posts?—I should say something like 13 to 15.

45926. Would you promote them direct into the Indian Civil Service or promote them as at present to listed posts?—I would do away with listed posts and put them straight into the Civil Service cadre.

45927. Do you suggest that these officers whom you promote from the Provincial Service should go to England?—No.

45928. They would come into the Indian Civil Service without any training at all in England?—Yes.

45929. And therefore the whole of the increase of Indians in the Service would be practically through that channel?—Exactly.

45930. Even more so I take it because you suggest a reduction of the age for the examination?—That would possibly reduce the numbers who passed at the open competitive examination. I do not suggest the reduction with that object.

45931. Do you think your method is the best for the Service generally? Would it bring men in on an equality with their fellows?—I do not see why it should not.

45932. Do you think a man who has served 14 years in the Provincial Service will be able to take his place alongside of his colleagues in the Indian Civil Service?—As things go now he would not become a Judge at a more advanced age in his service than people in the Indian Civil Service become Judges. Secondly, the Provincial Service with this prospect of a certain number of posts open to it would be a better Service with higher ideals than it is now.

45933. Your proposal could only be carried out very gradually?—It would have to be done slowly.

45934. Very little could be done for about ten years without disturbing the vested interests of the members of the Indian Civil Service?—I have proposed 10 or 11, a third of the Judgeships, and 8 are already listed under the new scheme, so that there will be only three extra.

45935. But what about Collectors?—I am not insisting on that because I have very little knowledge of executive conditions.

45936. But your increase, to be an appreciable increase, would have to include a certain number of Collectorships?—Yes.

45937. And that increase could be given only by a very gradual process over a period of about ten years?—Exactly.

45938. So that the actual admission of Indians under your scheme would be somewhat delayed?—It would be gradual.

45939. You are opposed to appointments from the Bar to posts of District and Sessions Judges?—I am.

45940. And you doubt whether suitable men could be found who would be induced to occupy the position?—In the District Bars there are very few suitable men.

45941. Have you any idea of the sort of incomes that are being made at the Mufassal Bar now?—I cannot give you any accurate figures.

45942. Why do you think they would not be likely to accept these positions?—In the three District Bars of which I have experience I can hardly call to mind anybody I consider would be fit for the post.

45943. I will now ask you a question arising out of the age-limits. You suggest a period of two years' probation, but would you see any advantages in making the period three years with the view to the probationer going through an Honours course at a University?—No, I am not in favour of it.

45944. You do not regard that as important?—No.

45945. You would rather have men out after a two years' probation?—Yes.

45946. What is your reason for saying that?—I was in the last batch that came out under the 17 to 19 age, and one or two men did stay back, and I cannot see they seem to have gained any particular advantage by doing so.

45947. You do not see any tangible advantage in a man having an Honours degree?—I do not think so.

45948. You say that the present system of working the Indian Civil Service has broken down. The present system has been only introduced since 1900, and it has hardly had time fully to get to work?—It is getting worse.

45949. Can you give any reasons for thinking it has broken down?—The chief reason I believe is irregular recruitment. After the Mutiny there were very heavy recruitments for some years and that was followed by a number of years of light recruitments. Then the time came when the people recruited in the heavy years retired, leaving a large number of vacancies, and to fill these there were large recruitments and those have blocked the years below them.

45950. What remedy do you suggest for that?—The only possible remedy is as far as possible to equalise the recruitment, but it is not possible to do this at once.

45951. How are you going to get rid of the block? Do you suggest retirements?—I suggest compulsory retirement of officers who are not selected for the higher posts. I think I have mentioned that officers who are not selected for posts above Rs. 2,250 should be retired as soon as they have completed 25 years' service, and also that if an officer is glaringly incapable he should be treated in the same way as an officer who is physically incapable and retired on a proportionate pension.

45952. Your first proposals for retiring officers after they have completed their time for pensions is exclusively with the view of getting rid of this congested situation?—Not entirely, but partly to assist in getting rid of the congestion, and also it is desirable in itself.

45953. It is desirable in the interests of the Service?—Yes.

45954. Your other proposal of course comes under a different category?—Yes.

45955. You would retire an inefficient officer if proved to be such at any time of his career?—Yes.

45956. What machinery would you introduce in order to mete out complete justice to an officer before he was retired?—I suppose the matter would have to rest with the Secretary of State. I take it there would have to be a change in the covenant.

45957. But who would advise the Secretary of State?—I have not gone into that question. It would have to go through the Local Government to the Government of India, and so to the Secretary of State.

45958. You have not worked out a scheme?—No.

45959. It is very important to get a very carefully worked out scheme if you are going to introduce a system of compulsorily retiring inefficient officers, and we should be very glad to have from some members of the Service their ideas on that point.—The only method of doing it would be on the opinions of his superior officers over a series of years. It would not be one mistake or two mistakes.

45960. You suggest the introduction of a time-scale?—That is as a palliative of the present state of affairs.

45961. The time-scale would go right up, without any selection bar, to Rs. 2,250?—I think so.

45962. Would it not be much better, if you are going to have a time-scale, to have compartments with selection operating between each compartment?—No, because I think that unless an officer is glaringly inefficient, he ought to get his promotion automatically up to Rs. 2,250.

45963. You say there would be difficulties in the way in regard to those who take charge of districts, but would not that be got over by giving, in addition to the salary of the time-scale, a charge allowance of say Rs. 300 whenever a superior appointment is held temporarily?—You mean where a man gets promotion more than he is entitled to? That is what I propose, that he should get a charge allowance.

45964. Then the difficulty you suggest would be got over?—That is how I propose to get over it, by giving a charge allowance.

45965. So that a man on Rs. 900 occupying one of these positions would get Rs. 1,200?—Whatever the charge allowance was.

45966. You say that you would not make anybody a District and Sessions Judge until he had held the office of Assistant Judge for at least two or three years. Can you tell us what are the powers of Assistant Judges, and what pay they draw?—They can try sessions cases. I think there are certain cases excluded from their jurisdiction, such as capital cases. The maximum power of sentence I think is seven years. They are all provincial posts now under the new scheme, and the pay I think is Rs. 800 to Rs. 1,000.

45967. You think that officers in the Judicial branch of the Provincial Service break down through overwork?—Yes.

45968. How far have you observed officers to be overworked in this province?—That was my experience at the time I was Registrar and all the leave applications from the provincial Service in the province of Agra had to pass through my hands. I noticed a very large number of officers kept on working until they had to go on leave on a medical certificate, and a good many of these never came back.

45969. Is that within recent times?—Yes: 1906, 1907, 1908, and 1909.

45970. Officers occupying the position of Subordinate Judges?—Subordinate Judges, and sometimes Munsifs.

45971. Is it irregularity of holiday, or is it due to actual overwork from week to week?—In the first place the work is of a very trying nature, entirely sedentary, and sometimes the surroundings are not over healthy.

45972. You mean the court-house is not always very suitable?—It is a crowded court and the court-house is not always as roomy as it might be. They get a month's vacation about October; but still the work, week in and week out, is very heavy, in spite of holidays.

45973. How many days in the week are officers sitting?—Six days a week.

45974. What hours do they sit in court?—About six hours on an average, from 10 to 4.

45975. With an adjournment?—Some adjourn and some do not. They also take work home, judgments and that sort of thing. They sit in court in order to hear cases.

45976. Do you think that there is an inadequate supply of Judges for the work to be carried out?—There certainly was at that time. There has been a new scheme since.

45977. So that what you have been saying may be largely removed now?—In some measure the work will be lighter, but what I think really kills them is their leave rules.

45978. There seems to be a general complaint about the leaves rules and I should like to hear your view on that subject?—They cannot get any leave on full pay.

45979. What would you suggest that they should have, consistently with the general convenience of the court?—I think they should get every year a month's leave on half pay. They have to work right through the hot weather and the rains. It has been suggested that they should be allowed to take half a month on full pay and the rest on half pay. I think a concession of that nature would be a great boon to them.

45980. You think half a month given at different times during the year could be arranged without undue dislocation?—I think so.

45981. That would be half a month in addition to the October vacation?—Yes.

45982. By whom would the arrangements be made?—By the High Court.

45983. To fit in with the arrangements of the district?—Yes, I think even if it did require a slight increase in the judiciary it is necessary. I have spoken to a good many of the officers and have seen a good many of them, and they all feel that they cannot get leave on full pay and therefore cannot afford to take it.

45984. I daresay you are not prepared to speak with so much knowledge on the revenue side?—I would rather not say anything at all.

45985. (*Lord Ronaldshay.*) You think the best method of recruiting Indians to the higher Service is by promotion from the Provincial Service, because you are able to judge of a man's capacity as an administrator after you have had an opportunity of seeing him do his work for some years?—Partly that, and partly because I think it would improve the Provincial Service so much.

45986. Your view would be that it is rather a matter of luck when you recruit an Indian by means of a competitive examination whether he has administrative capacity or not?—I do not know much about the Executive. I think the competitive examination in any case is a very imperfect method and in India you have an opportunity of using another method which I think is better.

45987. Why do you think it is better?—Because a competitive examination has its defects and here you have men whom you have seen working and know all about.

45988. You agreed with the Chairman when he suggested that it would not be possible to put this scheme into operation for some years?—As far as the Judicial goes, three more posts will come in the course of a year or two. Up to the 1st April last there were five listed posts; under the new scheme which then came into force there are eight. I think one of those has come in already and two more will come in the course of two or three years, and the remaining three will be filled within ten years.

45989. So that you would very soon be able to promote officers of the Judicial branch to superior posts without in any way affecting the vested interests of the members of the Indian Civil Service?—That is one of the reasons why I think it is important to have the change gradually, because at present there is a very serious block in the Judicial branch of the Service in this province, and I think their rights should be considered as well as those of Indians.

45990. Your argument in your answer to me was that as far as the Judicial Service is concerned you can put your scheme into operation in the near future without interfering with the vested interests of the members of the Indian Civil Service?—I do not think so.

45991. Did not you tell me there were eight listed superior posts and there were to be three more?—The result of increasing these five posts to eight is that certain members of the Indian Civil Service on the Judicial side will now have to wait probably one or two years more. One man particularly, of 18 years' service, who has been waiting for a Judgeship, will now have to wait one or two years more before he gets it. Their vested interests have been very seriously interfered with.

45992. I understand that has been done already?—Yes.

45993. Can you put your scheme of promoting men from the Provincial Service into the higher Service into operation fairly quickly without further impinging upon the vested interests of the members of the Indian Civil Service, say within the next few years?—No, it should be ten years.

45994. Will you be able to fill none of these additional listed posts for ten years?—The eight must be filled at once, but the extra three ought not to be filled until ten years.

45995. Have the extra three been listed?—Yes.

45996. With the idea of filling them with Provincial Service officers?—Yes. Two Judgeships are in abeyance at present.

45997. The intention is to fill them with Provincial Civil Service officers when they are vacant?—Yes.

45998. Then your scheme will come into operation fairly soon?—A portion of it. When I wrote my note the orders had not been received, and at that time there were only five.

45999. What would happen under existing circumstances?—I propose three more, and to bring them in slowly partly to avoid blocking them and partly because I think we ought to go slowly.

46000. With regard to the Executive side, you agreed with the Chairman that it would not be possible to put your scheme into operation for 10 or 12 years. Have you considered the possibility of retrieving the inferior listed posts from the cadre of the Provincial Service and restoring them once more to their original status of Joint Magistrate?—I do not think that would help very much because it is the higher posts we are really concerned with. The lower posts are merely bases of recruitment for the higher posts.

46001. If that is so, you would not be able to put any other scheme into force during the next eight or ten years. Supposing you recruited Indians by separate examination in this country you would not be able to give them superior posts for the next ten years?—I do not propose to recruit them but to make this the sole channel.

46002. I am comparing two different suggestions for recruiting Indians for the higher Service. It has been urged as an objection to your scheme that you could not put it into operation for the next eight or ten years. My point is that that objection must apply to any other scheme?—It would as far as higher posts are concerned.

46003. Then I fail to see that it is any objection to your scheme?—I do not know about the Executive, but in the Judicial there is a proposal to put barristers straight away in. They would not have to go into the lower grades of the Service, but would be non-officials going straight into the higher grades.

46004. Now you are suggesting there is a scheme for putting barristers straight into the higher posts. Could you do that without affecting the vested interests of the Indian Civil Service any more than you can by putting a Provincial Service man in?—Of course not.

46005. That objection applies not to your scheme particularly but to any scheme for the recruitment of Indians to the higher Service?—Yes.

46006. I am not quite clear about what the pay of these Assistant Judges is. I understand there are four Assistant Judgeships?—Yes, four or rather six.

46007. Are these always filled by Provincial Service men?—There is a change just come in. Up to lately they were filled partly by Indian Civil Service and partly by Provincial men. Now they are to be filled by Provincial.

46008. You told the Chairman that their pay ran from Rs. 800 to Rs. 1,000 a month?—It is certainly not less than Rs. 800 a month.

46009. I assume, if your answer is correct, that there has been an alteration in the pay quite recently?—From April 1st.

46010. On April 1st, 1912, the pay apparently was Rs. 800 for one, Rs. 600 for one, and Rs. 500 for two?—And besides that there were certain posts which were held by members of the Indian Civil Service, Rs. 1,100 being one.

46011. Have these posts of Assistant Judgeships been made more attractive by higher pay in the last few days?—They have.

46012. There is another post which I think is more or less peculiar to this province and which I think corresponds in the United Service cadre with the Assistant Judgeship in the Provincial Service cadre, namely the post of Sessions and Subordinate Judge?—That post has only just come into being on the 1st April. There are six posts, four of them held by the Civil Service and two by the Provincial Service.

46013. Is the object of the creation of those posts to provide a post in which a man may be trained in both civil and criminal work before he is appointed a District and Sessions Judge?—Yes, for the Indian Civil Service.

46014. In future I suppose these posts will count as superior posts for the purpose of calculating the recruitment to the cadre?—I take it they will.

46015. That means there will be a larger number of recruits taken in future?—Yes.

46016. Does not that also help to get over the difficulty of not putting your scheme of promotion from the Provincial Service into operation at once, because these are posts which at present nobody has any vested interest in; they have not been recruited for at all yet?—No.

46017. So far as these six posts are concerned you can recruit for them in future either by increasing the number of vacancies open to the candidates who go in for the examination in England or by allotting them to promotions from the Provincial Service?—I think the intention is to keep those four out of the six posts in the Indian Civil Service because the object is to form a training school in Civil Law for members of the Indian Civil Service. Two posts have been given to the Provincial Service.

46018. Even if you earmark those four posts for the Indian Civil Service officers you could still release four other superior posts in which nobody at present has any vested interest?—Yes.

46019. You have told the Chairman that you think the officers of the Judicial branch of the Provincial Service should be entitled to privilege leave on full pay. I suppose they get full pay during the month's vacation?—Yes.

46020. So that if you were to give them another month every year on full pay you would be giving them twice as much leave on full pay as their colleagues in the Executive branch get?—I propose only a fortnight. There is some qualification to that. First of all the vacation is fixed and they cannot take it when they want to. Then there is the nature of the work; they have no outdoor work at all.

46021. You think that the camp work which an Executive officer gets would really act as a set-off against the extra fortnight on full pay which you would give to the Judicial officer?—Yes.

46022. So that if your proposal was put into operation you do not think there would be any legitimate grounds of complaint on the part of the Executive officers?—I do not think so.

46023. (*Sir Theodore Morison.*) Could you tell us what sort of training you propose for the Civilian who takes the Judicial branch? When do you think he ought to decide to pass definitely into that branch?—Under normal conditions I say after about eight years' service.

46024. How much experience in the Executive branch is desirable for his training as a Judge?—Eight years is quite enough.

46025. The suggestion has been made to us that something like four or five years is the most that he should stay in the Executive?—I do not see how he can get out of it so early.

46026. How much Executive experience do you think is advantageous to a man?—I should say six years is not too much.

46027. Would you say four to six years? Would anything less than four be too little?—Yes. In his first year he is doing practically nothing and he does not begin to have really responsible work until the end of his second year.

46028. What experience do you think he is gaining which you think is useful to him on the Bench?—He is gaining a knowledge of the people by camping; he is learning the language,—he may be learning a *patois* which will be no use to him when he goes elsewhere; he is learning the general routine of court work, which is very much the same in every court; he is doing revenue work; he is learning to record evidence and learning to weigh evidence; and he is getting to know how the general administration of the country is run.

46029. You think that is important?—Yes.

46030. To what extent does a Judge in his judicial capacity have to know about the administration of the country?—It is perfectly obvious that a man who is acquainted with administration of the country, the way the police work, the way the *patwari* and the way the *kanungo* works, will be in a better position to know what weight to attach to evidence which may come

before him in the course of a case than the man who is actually ignorant of that knowledge.

46031. All knowledge is no doubt useful to a Judge, but do you think that that particular kind of knowledge is specially useful?—Yes.

46032. When you have decided that he should elect for the Judicial what sort of training do you propose to put him through in India? You are not in favour of sending him to Europe?—It is an unnecessary expense for one thing. When I became a Judge and when I returned to the Judicial after being Registrar, my experience was that I had got no opportunity for systematic study of Law. Under the old period of two years' probation one learned a fair amount of Law, and I always felt the need for a chance for a certain amount of systematic study and of somebody to guide those studies. Therefore I would take a man off duty altogether and put him for six months, or more if necessary, to study Law in these provinces at the University of Allahabad.

46033. Would you put him on a special course of training there?—I would.

46034. Would he attend the Law College?—That would have to be a matter of special arrangement. Perhaps the course at the Law College would not suit him. I think a special course of lectures should be arranged for.

46035. At the Law College or elsewhere?—Yes.

46036. You are contemplating using the staff of the Law College?—If it is available.

46037. What class of persons do you think would be suitable for a man who already knows a good deal about the Law?—The present lecturer in the Allahabad University, Mr. Weir, is quite good.

46038. The students will not be ordinary school-boys?—That is one of the reasons why I would not send them to the ordinary Law classes.

46039. You think you could arrange for people to give lectures of the high standard that would be required?—Yes.

46040. What would you post them to when they had gone through that course?—If the post was available they would probably become Sessions and Subordinate Judges under the new arrangement.

46041. It has been suggested to us that they might for short periods do the work of a Munsif and then of a Subordinate Judge?—I do not see why.

46042. Your proposal is to take a man at once from this course of training and put him into a Judicial post, preferably the Sessions and Subordinate Judgeship?—Yes.

46043. You are against recruiting directly from the Bar and you do not think the Bar has any claim to appointments in the Provincial Service. We have had conflicting evidence as to the knowledge of Law amongst the Bar and the Munsifs and subordinate judiciary. Would you say the standard is higher in the Bar?—That is a very difficult question to answer.

46044. You say the Provincial Service is getting better?—I think its qualities are improving.

46045. In its legal training or in its general efficiency and probity?—Improvement in legal training is necessary for improving efficiency in the Judge, also in his probity.

46046. In the disposal of business?—Yes. I have not seen very much lately, but I have not seen any of the scandalous delays I used to see when I was Registrar of the High Court.

46047. (*Mr. Abdur Rahim.*) With regard to the different classes of practitioners in the districts of which you have had experience, the lowest rung of the ladder is the Mukhtwar?—He does not appear before the Judge.

46048. He practises in the criminal and revenue courts?—Yes.

46049. He is a man of very moderate qualifications?—Extremely moderate sometimes.

46050. And his knowledge of Law is modest?—Limited.

46051. He appears in the Deputy Magistrates' courts and conducts criminal and revenue cases, and also in the Joint Magistrates' and Assistant Magistrates' courts?—Yes.

46052. Does he monopolise the bulk of the business in these courts?—I believe he does, but I cannot say.

46053. Who come next?—The pleaders.

46054. They are different from the vakils?—Yes; they are not allowed to appear in the High Court.

46055. Have you pleaders of two grades?—No, that has disappeared here.

46056. In which courts do the pleaders generally appear?—District courts and Sessions courts and the Munsif's court.

46057. So far as the Magistrates are concerned all the legal assistance they derive is from the Mukhtiars?—Certainly.

46058. Except now and then in some important cases?—That is so.

46059. The Joint Magistrate would be doing revenue and criminal work?—Yes.

46060. That is to say, he would be dealing with various Acts?—Yes.

46061. He would have nothing to do with the general questions of law?—No. Mortgages, Hindu Law, and Muhammadan Law come in incidentally.

46062. His work would not give him any sort of insight into the Law, properly speaking?—Not into Civil Law.

46063. He has to hear appeals from Subordinate Judges?—That is so.

46064. And I suppose questions of Hindu Law, Muhammadan Law, Mortgages, &c., which involve very complicated questions of Law?—Yes.

46065. Then you have to fall back upon the pleaders for every assistance you can get?—A good Bar is of great assistance.

46066. And the more assistance you get from a pleader the more satisfactory your judgment is likely to be?—The better the Bar the more fortunate you are.

46067. If you do not get a sufficient Bar you would be probably less satisfied with your judgments?—You might, or you might not make it up by work. After all there are plenty of text-books.

46068. Have you much time left for the private study of the law during the time you are doing Joint Magistrate's or Assistant Magistrate's work?—No.

46069. So that you come to the Bench without any opportunity of studying law?—I studied Hindu Law for a year before I came out from home under the old probationary course.

46070. What about the new system?—I am entirely opposed to the new system; I think it is a great mistake.

46071. Have you a Bar Library?—Yes.

46072. Have you the Indian Law Report and Indian text-books?—Yes. One gets a grant for one's library and can do what one thinks fit.

46073. Have you English Law Reports or English text-books?—We have English text-books to a certain extent, but no English Law Reports. In my library I have Williams on "Executors," and Hanson on "Contract" &c.

46074. Have you Fisher on "Mortgages" and books on Equity?—No.

46075. Those are very difficult questions to arise, questions of equity, mortgages, torts, &c.?—Very difficult.

46076. You have not the equipment so far as books are concerned in your court and you have really to depend on the High Court correcting the judgments?—Indian Law is mostly case law.

46077. Do you find that you have cases which are cases of first impression and not covered by authorities?—One can go back to first principles to a certain extent. Broome's "Legal Maxims" are very useful.

46078. And you can get decisions of the House of Lords, of the Court of Appeal, or the Chancery or King's Bench?—I do not find that in the rulings in the High Court English cases are often referred to.

46079. They are not cited because you have not the books?—They are very rarely cited in our High Court even.

46080. You have a lecturer in Allahabad College in your scheme for training. Is he a member of the Bar?—No, he is a member of the Indian Educational Service.

46081. And he lectures on law?—Yes.

46082. (*Mr. Sly.*) You have said in answer to question (13) that a certain proportion of the men selected by open competition have leanings towards the Judicial branch of the Service?—Yes.

46083. Do you know as a matter of fact whether any candidates of the Indian Civil Service are attracted by the fact that they have a judicial career before them?—I was not referring to that so much as to the fact that after they come out they develop those tendencies. I think when a man goes into the Indian Civil Service his idea is more the outdoor administrative life.

46084. Are any men directly attracted towards the Indian Civil Service by the prospects of a future judicial career?—I could not answer that definitely, but I should say some were.

46085. I understand that you gave an opinion adverse to a third year's probation in England for the purpose of taking an Honours course at a University?—I did.

46086. Did not you think that the old system under which candidates were permitted to stay a third year, provided they took a degree in Honours in either a Law School or an Oriental School, or some school suitable to India, was a very good system, which improved the efficiency of the officer in India. Why do you wish to stop that?—Of course I am speaking from recollection, but I am not sure that it was necessary to take the Honours in Law or Oriental subjects twenty years ago. I think you could take the ordinary Arts School.

46087. If an officer were permitted to stay a third year on condition that he took an Honours course in an improved school do not you think that would be an advantage under your scheme of recruitment?—If it were largely resorted to, which it was not in my time, I think it would cost more money than it is worth.

46088. With regard to the question of compulsory retirement, after 25 years' service, of officers not selected for promotion above Rs. 2,250 grade in the Executive line, that means that you wish compulsorily to retire every Deputy Commissioner who is passed over for selection for a Commissionership, provided he has 25 years' service?—Yes.

46089. Is it not the case that the orders of Government lay down that selection for the Commissionership should be made with considerable strictness?—That is so.

46090. Do you think it would be to the advantage of the Service that the officer who happens to be surpassed in merit by a particular officer of the Service should be compulsorily retired out of it?—It is really not a question of relative capacity but a question of absolute capacity. A man will always get a Commissionership in time.

46091. According to the rule, the selection for Commissionership is strictly a matter of relative capacity?—Everybody up to a certain standard would always get it. A man might be passed over by a better man for a time, but he would get it in time.

46092. Not if the rules of selection are carried out?—If A is passed over by B because B is a better man, C, D and E may not be so markedly better as to pass over A.

46093. If he is passed over by B do you require him to be compulsorily retired?—No, unless it is finally decided that he is not to be promoted.

46094. How would your scheme work in regard to District Judges?—They would stop at the third grade.

46095. Although there is no difference whatever in the class of work between the second and the third grade Judge, you would deliberately have the Judge rejected from the Service although there is no distinction of duties?—There would be a distinction in the quality of the work.

46096. But it is simply a grade in the same Service doing the same class of work?—Yes, but I should say that this man's work is not worth more than Rs 2,250.

46097. You not only say that the work is not worth more than Rs. 2,250 but you decline to let him have that Rs. 2,250 and say that he has to go?—Yes, I say he should not be allowed to stay on.

46098. Do you think that that system would conduce to the popularity and good working of the Service?—I think it would. At present there is a certain amount of selection. Formerly, it did not matter how you did your work, you got your promotion automatically.

46099. Stopping promotion is one thing but compulsory retirement is entirely a different thing?—It is very heartbreaking to have men that you know are inefficient blocking your promotion.

46100. With regard to the Judicial vacation, is it not a fact that in addition to the vacation there are a substantial number of holidays in the year?—That is so.

46101. About fifty?—I think so.

46102. So that the Judge on an average gets, with the 30 days' vacation, about 80 days holiday a year?—Yes.

46103. So that when you say he works six days a week, as a matter of fact it averages out to hardly five?—That is so if you take holidays into consideration, but they invariably work on holidays.

46104. In order to keep abreast of their work they have to work during a portion of their holidays?—Yes, to keep their judgments going.

46105. (*Mr. Madge.*) The system you speak of as having come into operation now is what is known as the Greeven system?—Yes.

46106. Do you know whether under the other system, called the Pike Committee system, similar advantages will be secured to the Executive branch?—I know nothing about that system.

46107. In answer to question (64) you refer to many points of difference between the English and the Indian Law. Is it such a difference that it will be better for the Indian Civilian at any period of his probation to study Indian rather than English Law?—The principles are the same, but there are differences of detail. I am referring to matters like transfer of property, contracts, &c. The Indian Law is based on the English Law.

46108. Do Pleaders take up Civil and Criminal Law in their practice or only one side?—As a rule they stick to one side, but occasionally you get a man who takes both.

46109. Generally is it civil or criminal?—There is a larger field in the civil and therefore more Pleaders take to it.

46110. Do you think an Executive officer in the exercise of his magisterial functions does not acquire some kind of judicial experience?—He acquires a most valuable judicial experience in weighing evidence.

46111. Would your objection to recruiting from the Bar be fortified by the fact that the Pleader's knowledge of one side of the law is a defect, just as the Magistrate's knowledge of the other side only is a kind of defect? The Magistrate usually does Criminal Law and it is held to be an objection against the Magistrate that he knows nothing about Civil Law; but you admit that the Pleader practises chiefly on the Civil side and has no knowledge of Criminal Law?—He has learned Criminal Law but he may not have practised it and may be rusty.

46112. (*Mr. Chaubal.*) It may be true as regards the provinces in which you have served, but there are Pleaders who have both criminal and civil practice, are there not?—Yes.

46113. With respect to your answer to question (13), where you say you are against appointments from the Bar to District and Sessions Judge, are there any European Barristers in the High Court Bar of these provinces?—Yes, six to ten at the outside.

46114. There are also Pleaders practising in the High Court here?—Vakils.

46115. Vakils are distinctively High Court Pleaders?—Yes.

46116. These Vakils have both criminal and civil practice?—Yes.

46117. And they also appear in the Mufassal Courts?—Yes.

46118. Do not you think it would be possible to get a certain number from each province, from the Bar, composed of Vakils and members of the European Bar practising in the High Court, for recruiting to District and Sessions Judgeships?—I do not say that you might not get some.

46119. Would there be any objection to the employment of such men if they would take it?—Yes, because I think it is unfair to the Provincial Civil Services.

46120. Supposing you recognized the claims of the Provincial Service by leaving a certain proportion open to recruitment from them, then I suppose the objection that you have not the material from which to recruit would not hold good?—The material is limited, and I think that all these posts that are to be taken from the Civil Service should be given to the Provincial Service.

46121. We are now considering the question of recruitment to the Judicial Service, and the question is whether one source of recruitment is to be thrown away entirely, a source which gives you Judges of the High Court and of the Small Cause Courts in the Presidency towns. Should that source be entirely ignored as a source of recruitment?—Under the circumstances I would ignore it.

46122. In your answer to question (92) you speak of the Service being kept up to its former standard. Do you think the present standard is lower than it used to be?—No, not as yet.

46123. What justification have you for saying that in order to increase the attractiveness of life in India a general increase in the rates of pay is necessary?—Money does not go so far now as it did when I came out 19 years ago.

46124. Putting to you the views of the other side, one view is that the salaries attached to the Civil Service are such that perhaps with the increased cost of living they will not be able to save as much as the old Civilians did. But that is not an argument for saying that the salary is low?—When a man considers the salary he considers his chance of saving on it.

46125. Would you confine the dissatisfaction as to rates of pay to the lower posts?—Yes, because the pinch is felt more severely there.

46126. Up to what amount?—Up to the lowest grade of the superior posts.

46127. But generally the starting salaries are considered to be very low on account of the expenses which a man has to incur on coming out?—Yes, and on account of the increased expense he has to incur in India now.

46128. I am not able to find the Assistant Judge in the Civil List?—He has changed since that Civil List was published.

46129. What posts are the Assistant Judges merged in?—In the general Provincial cadre.

46130. Sub-Judges?—Yes.

46131. That is to say in the 19 Sub-Judges of this province some posts are those which were held by Assistant Judges?—Yes. The number has been increased considerably.

46132. In the same way I suppose the posts of Assistant Collectors are merged in those of Deputy Collectors?—I cannot tell you.

46133. Supposing your scheme is worked out and a larger number of posts is listed in the Judicial line, would you like recruitment, in order that it should come at a comparatively lower age, to be confined to the old Assistant Judgeships with their old pay, or would you have it as at present open to all the 19 Sub-Judges?—My scheme is that as soon as a man is promoted to a Subordinate Judgeship, which would be ordinarily after seven or eight years' service.

46134. Does a man rise from Rs. 200 to Rs. 500 after 7 or 8 years' service?—I think so. I think you will find junior Subordinate Judges of 8 years' service in the Agra cadre.

46135. Your impression is that it is within 7 or 8 years?—Eight years I should say. Like all promotion it varies, of course.

46136. In that case you would leave it as at present open to all the Sub-Judges?—As soon as a man becomes promoted to a Subordinate Judge it is pretty well known what his work is like and we would pick the best of them and give them Assistant Judges' powers. You can do that even though you do not appoint him to the post of Assistant Sessions Judge.

46137. Do all the 19 Sub-Judges do criminal work?—Not yet, but I believe there is a scheme by which a certain number will be given these powers to enable them to do criminal work.

46138. Would you not confine the listed posts of District and Sessions Judges to that part of the Subordinate Judicial Service which perform both civil and criminal work?—They are all one now, but I would confine it to officers who had done criminal work. I think it is a very dangerous thing to put a man in to do criminal work as a Sessions Judge who has never done any criminal work before.

46139. You would like recruitment from persons who have done both kinds of work?—Yes, I should insist on that entirely now.

46140. (*Sir Murray Hammick.*) Is the officer who goes to study law at the University of Allahabad to be on leave or on duty?—On duty.

46141. Do you not think it would be cheaper and better to give a man study leave to go to England?—It is difficult to decide, but I think I prefer my plan on the whole.

46142. Do you not think that when an officer at the end of seven or eight years intends to go in for the Judicial department and takes furlough home the probability is that he devotes a good deal of time to the reading of law?—No. I certainly did not do it.

46143. How much vacation do District Judges get in this province?—They can get a month, but very rarely do they get more than a fortnight, because they have to keep their criminal work going. Take my case at Saharanpur; I was entitled to a month but I spent a fortnight of it doing Sessions. The vacation is only for Civil Courts.

46144. They have to do a jail delivery sessions during the month vacation?—Yes.

46145. Is there no arrangement by which one Judge can relieve another?—There is no arrangement in this province.

46146. Do the Sub-Judges all close their courts for a month?—Yes.

46147. And they have no criminal work?—Not unless they have Assistant Judge's powers.

46148. They can go right away from their courts?—Yes.

46149. They get a complete month's holiday every year?—Yes.

46150. Do Munsifs get a vacation?—Exactly the same as the Subordinate Judges, a month.

46151. What are the rules about privilege leave for District and Sessions Judges?—They get it in exactly the same way.

46152. They can take three months plus their vacation every year?—They can.

46153. It seems to me that the District Judges are the persons who rather suffer as far as vacation goes. The Sub-Judge is rather lucky if he can get the whole month clear from his court?—Yes. There is more variety about the District Judge's work than the Sub-Judge's work.

46154. What is the special grievance of the Sub-Judges when they have got a clear month's vacation?—They have to take it in October, and they have to work through May, June, July, August and September, and that is pretty trying work.

46155. Cannot they get casual leave in the hot weather away from their courts?—Yes, they might get ten days.

46156. The High Court always takes three months?—Ten weeks and three days, August to October. The Sub-Judges' vacation generally finishes after the High Court vacation finishes. The High Court generally comes back about the third week in October.

46157. Would there be any objection to moving the vacation of the Sub-Judges to the hot weather?—That question was considered in connection with the Greeven scheme and it was decided on the whole that it was better not to move it.

46158. I suppose the vacation has to fit in to meet the Pleaders' wishes as well as the Judges?—It really fits in better with the litigants; the suggestion was to have the vacation in June, but June is the time of the year when the litigants have nothing to do. There are no crops in the field and they have plenty of time to look after other matters. October is the time when the banias make up their accounts and arrangements are being made for the harvest, and they are pretty busy and glad to get away from the courts.

46159. You would propose to allow 15 days' leave on full pay. Would you allow it to be added every year to the vacation?—That is a question on which I have not quite made up my mind. There might be serious difficulties in having the court closed, because practically the vacation would be six weeks.

46160. That is the length of the vacation in Madras?—I did not know that.

46161. (*Mr. Tudball.*) I understood you to say that the Mukhtiars monopolise the work in the courts of Magistrates in the districts?—I said that as far as I knew they got the greater part of it.

46162. In a district like Cawnpore, with the Judges' court and District Magistrates' court in the same compound, are not all the best cases monopolised by the higher branches of the Bar?—Yes.

46163. All cases of importance, giving any income from the litigants, are monopolised by the better portion of the Bar?—I should give my answer in a qualified way because I have not been a Joint Magistrate since 1897, and for 18 months before that I was on famine work and in camp the whole time, and not many Pleaders pursued me to my camp.

46164. Do you think the members of the service are satisfied in regard to pension with the contribution of 4 per cent.?—I think on the whole they are.

46165. You think the majority are satisfied?—I think so on the whole.

46166. At the present time a Munsif is generally appointed about the age of 29, is he not?—His permanent appointment is at 29 to 30.

46167. Prior to that he is a member of the Bar who officiates chiefly at his own expense?—Yes; he goes to a place and officiates, and then goes back to the Bar and complains that his practice is spoiled.

46168. With the system of probationary Munsifs, such as has now been introduced, if we enroll our men as candidates after passing the LL. B. and doing two years' practice, shall not be more likely to get the better men of the Bar?—That would be taking men from about 24 to 25?

46169. Up to 26. If you wait until a man is 29, if he is going to do anything at the Bar he has fully grasped the fact and he will not take it; whereas if you take him younger you are more likely to get him?—I think so.

46170. Then a man would be able to put in his 30 years' service by the time he was 55?—If you get him in at 25, yes.

46171. Do you not think that Rs. 200 a month is rather a low salary for a Munsif to start upon if you wish to attract good material?—It is difficult to say. I hoped to see it raised up to Rs. 250.

46172. (*Mr. Kanhaiya Lal.*) As a Registrar of the High Court and as District and Sessions Judge, you have had considerable acquaintance with the officers of the Provincial Judicial Service and their requirements. Was it a standing grievance amongst them that they were not allowed privilege leave on full pay?—Yes, both when I was a Registrar of the High Court and since. They have spoken to me about it.

46173. Was a memorial submitted on the point in 1907-8?—I believe so.

46174. Did the High Court support that proposal?—I believe it supported it to some extent, not altogether.

46175. Did the Greeven Committee recommend the grant of privilege leave for 15 days on full pay, irrespective of the vacation?—I do not recollect.

46176. You cannot say whether the Local Government supported the same proposal?—I cannot say.

46177. Are you aware that in 1898 Lord Curzon, in a despatch to the Secretary of State for India, published in the *Gazette of India*, recognised the necessity of one month's vacation as a compulsory recess for Judicial officers in consideration of the monotonous, sedentary, and mental nature of their work?—I do not remember it.

46178. Is it not a fact that the vacation contains many days which would be otherwise holidays?—Yes.

46179. Are the civil courts allowed respite on the last Saturdays of the months like the Revenue courts?—No.

46180. Are they allowed local holidays?—Some local holidays.

46181. But very rarely?—There are not very many.

46182. If we take into account the local holidays and the last Saturdays of the months, and the other holidays, falling during the vacation, do not you think there would be very few extra days these officers would be getting?—I think there would be a considerable number because I worked it out in connection with the memorial you referred to and I found there was a substantially larger number of holidays. I have not got the figures now, but I found that the Judiciary were substantially better off as far as holidays were concerned, allowing for the vacation.

46183. There are about ten holidays during the vacation?—About that.

46184. And 12 last Saturdays in the year. As regards the other holidays, are they common to all the courts, Civil and Criminal?—Generally the Civil courts get more holidays.

46185. Have the Civil officers to work a great deal on holidays in writing their judgments?—I have said so.

46186. When you were a Registrar of the High Court did you notice that there were many casualties amongst the officers in the Service?—I remember there were a good many cases undoubtedly due to overwork among the Judicial officers.

46187. Including several cases of paralysis?—I remember one or two people had paralysis.

46188. Have you learned that since you left the High Court there have been three cases of paralysis?—I have heard of one.

46189. Is it not a fact that the new re-organization scheme is based on recommendations which were made by the Greeven Committee five years ago?—Yes.

46190. Is it a fact that those recommendations were made on the basis of work as it existed at that time; that is to say, on the average amount of work which existed in the years 1905, 1906, 1907?—There was a certain margin left for some increase of work.

46191. Has there been a considerable increase of work since that date?—I could not tell you. There was a temporary increase in mortgage cases owing to the new Act.

(The witness withdrew.)

[Adjourned for a short time.]

SHEO PRASAD, ESQ., Junior Secretary to the Board of Revenue (late Deputy Collector, Hardoi).

Written answers relating to the Indian Civil Service.

(I do not think I am fully competent to answer all the questions relating to the Indian Civil Service in detail. I have therefore confined myself to the Provincial Civil Service questions and only to the broad outlines in the case of Indian Civil Service.)

46192. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—In principle the present system of recruitment for the Indian Civil Service is satisfactory and has given us an exceptionally good class of officers.

46193. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—By combining the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service we get a wider field for selection and have a chance for securing a better class of men.

46194. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—The natural-born subjects of His Majesty belonging to Colonies which refuse admission to the Indians should be debarred from the Indian Civil Service.

46195. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend? (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—(3) & (7). The present system is not suitable for the admission of natives of India who cannot at present get even a most safeguarded minimum number of appointments on account of the examination being held in England. The remedy, however, for the present at least, is not a system of simultaneous examination in India and in England but by the State giving scholarships and other aids to facilitate the promising youths to compete in England. The Indian parents, it is true, do not like the idea of sending their children to England and are to some extent justified in their attitude, but I am afraid they must put up with this difficulty. Most of the higher posts must of necessity remain in the hands of the Englishmen for the good of the administration. There is no minimising that fact. The simultaneous examination may reduce the European element to an undesirable extent. It may be contended that educational facilities in India are not of a nature as to justify this fear. I am not, however, so despondent as to fear that if the very best intellect of India gets a chance of competing in India itself with other nations it would remain much behind. It would, I think, be dangerous to try the scheme as an experiment and to give it up later if it reduces the European element. However desirable it may be from a political standpoint to conciliate Indian public opinion about holding simultaneous examination in India, it is still more desirable to keep the British character of the administration intact and not to risk the chance of its deterioration or the chance of having to take a retrograde step in future by going back to the old lines after giving simultaneous examination a trial and finding that it succeeds too well.

46196. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend? (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—(9) & (12) A separate examination in India or in each province would be worse still, and I think the tests for the Provincial Civil Service should be made more stiff and the entrance of the Indians to the posts reserved for the Indian Civil Service should be limited to that channel only.

46197. (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University), and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)? (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—(16) & (19) The present age-limit seems to me to be the best and I do not think any differentiation between the Natives of India and other subjects of His Majesty is desirable. The recent recruits are certainly not bad on the age-limit account—only Europeans should not be permitted to marry before coming out to India as that would prevent their mixing freely with the Indians—an indispensable condition in the beginning for the success of a young civilian.

46198. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I do not think a minimum should be fixed by statute but in practice one-third of the posts of Judges and one-sixth of those of the Collectors and Magistrates may be opened to Indians.

46199. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The "Statutory Civilian" system should not be revived because the "listed" posts system promises better. I would, however, submit that the "Statutory Civil Service" system failed not because the principle of the statute was defective but because the selection based on the defective nomination system was not good.

46200. (29) What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between *(a)* military officers and *(b)* others; and give details of the latter. (32) Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—(29) & (32) I am not in favour of mixed commissions and from what little I have seen of the members of that class I do not think it compares well with the Indian Civil Service.

46201. (33) Please now refer to the rules, dated the 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province. (41) Are there any other ways in which "Natives of India" are appointed in your province to Civil Service posts? If so, please give details of the same?—(33) & (41) I have given my views about "listed" posts in the answers to the Provincial Civil Service series of the questions.

I am, however, of opinion that it would be a mistake to appoint vakils and barristers direct as District and Sessions Judges. In the first place the really first class practitioners would never care to come forward, and secondly success at the Bar does not necessarily mean success at the Bench as well. Moreover, administrative capacity is also an important factor not to be neglected. That in time they would make good Judges is not denied and the best thing seems to be to employ the legal practitioners in the higher grades of Subordinate Judges before raising them to the post of the Judge.

46202. (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of *(a)* Indian Geography, *(b)* Political Economy, *(c)* Accounts. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—(52) & (60) I think teaching of Indian languages alone is not sufficient. The Indian manners, customs, ways of thoughts, prejudices, are all equally important. Something must be done to enable young Europeans to understand the Indian character before they enter on their responsible duties. The older officers are much more liked and respected because they know the Indian character better and it would ameliorate things a great deal if the new civilians had an opportunity of forming their first impressions through these older officers and through the Indians themselves rather than through the yet unripe class of younger civilians. They should learn the vernacular better so as to be able to read important papers and confidential communications of Indian gentlemen who do not know English, without the aid of their subordinate clerks.

Written answers relating to the Provincial Civil Service.

46203. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—*Both Branches.*—The general principles laid down in the Resolution of the Government of India are suitable. It would, however, be as well to add in Rule II *(b)* that in the more advanced provinces the Local Government may find it possible to prescribe the preliminary standard of education to be a University degree.

As regards Rule VI, I think it should be omitted. The orders of 1879 forbade the appointment without previous sanction of persons other than "Natives of India" to offices carrying salaries of Rs. 200 a month or upwards in certain departments. The Provincial Civil Service comes in that category. In 1888 the cancellation of this rule was recommended but the Secretary of State was pleased to disallow the recommendation on the ground that the Provincial Civil Service "was essentially a Native Service" and should "retain the same character." The reasons apply with the same force still. I have the moral courage to admit that most of the higher appointments must for the present remain in the hands of the Europeans for the good administration of India, and I must urge with the same freedom that this minor service should be allowed to retain its Indian character and Europeans should not be appointed to it unless they are statutory Natives of India. There should certainly be no special rule about this as in very exceptional cases such appointments can be made under the old rules of 1879 with previous sanction.

46204. (2) Please supply a copy of rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—*Executive Branch.*—

Please see Chapter VII, Department II of the Manual of Government Orders, United Provinces, pp. 29—41.

The rules require a deal of modification in principles which I have discussed in reply to question (6).

In the details, paragraph 116 (Rule 12) seems to require revision. The Local Government may appoint any probationer to any grade, but this power should not, I think, be exercised in favour of men already in the subordinate service, as placing of such men over the heads of so many senior officers produces much dissatisfaction. The changes necessary in the other rules relating to training (Rule 13), departmental examinations (Rule 14), pay of probationers (Rule 18), promotion to senior grades by selection (Rule 20-A) and leave reserve for short leave (Rules 21 and 24) have been dealt with separately in reply to the questions relating to those points.

46205. (3) Please see the statement showing the constitution of the Provincial Civil Service reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?—*Executive Branch.*—The figures in the latest Civil List corrected up to 1st January 1913 are compared with those given in Appendix B:—

Office.	Rate of pay.	Appendix B.			Civil List.			Actual.
		Agra.	Oudh.	Total.	Agra.	Oudh.	Total.	
	Rs.							
Deputy Collectors	800	...	...	4	...	...	4	4
	700	...	...	6	...	...	6	6
	600	...	...	12	...	...	12 (a)	10
	500	...	...	35	...	...	36 (b)	36
	400	...	...	53	...	...	52 (c)	53
	300	...	...	55	...	...	55	55
	250	..	...	58	...	...	58	58
Probationary Deputy Collectors.	100 to 250	...	...	...	...	..	28 (d)	42
Total ..	...	...	...	223	...	...	251	264

(a) Actually there are 10 posts only. Two of the posts of Joint Magistrates ordered to be transferred to this grade of the Provincial Service in 1892 have not yet been so transferred, as they are still held by members of the Statutory Civil Service.

(b) Includes one post of Assistant Registrar, Co-operative Credit Societies, sanctioned temporarily up to 1916. It is at present held by a 6th grade officer.

(c) The actual number is 52 only.

(d) Twenty-eight are sanctioned, but at present there are 42 with 4 more gazetted as Honorary Deputy Collectors to be appointed as Probationary Deputy Collectors as vacancies occur.

NOTE.—The question of increase in the cadre has been before the Government for years past and the 18 extra men in the probationary grade have perhaps been appointed in that connection.

Judicial Branch.—The figures given in the appendix are correct, but the Secretary of State has just sanctioned an increase in the cadre.

The number will now be—

(1) Rs. 800—40—1,000 grade ...		4
(2) „ 800		10
(3) „ 650		13
(4) „ 500		22
(5) „ 400		32
(6) „ 300		34
(7) „ 200		34
Total ...		149
Probationary ...		14
Grand Total ...		163

46206. (4) Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation?—*Executive Branch.*—In the beginning, Deputy Collectors were appointed on the nomination of the Board of Revenue and Commissioners, and the appointments, with few exceptions, went to men who had risen from the lowest ranks in the uncovenanted service. In 1893, as the result of the first Public Service Commission, two-thirds of the appointments were still reserved for promotion from the above class, but the door for nominations was opened also to the Police, Education, Public Works, and Accounts Departments. The remaining one-third were for the first time thrown open to the graduates of the Universities to be nominated by six Colleges in the Provinces. These institutions, however, did not always send up the best men and the system was given up as unsatisfactory.

Outcome of the recommendation of the first Public Service Commission.

In 1898 the recruitment rules were revised again when the powers of nomination given to the Accountant-General and the Director of Public Instruction were taken away. The proportion of two-thirds by promotion and one-third by direct recruitment was still maintained. In the former case, promotion was restricted to Tahsildars and other executive officers but the ministerial staff was debarred. As regards the latter, a system of open competitive examination was introduced in which graduates of the local University, who satisfied certain conditions and were approved by a preliminary Board of Selection, were allowed to compete. The result of this competitive examination was further tempered by allotting extra marks for physical and social qualifications and family claims.

Sir Antony (now Lord) MacDonnell's scheme.

In 1903 the system of competitive examination was altogether given up and the direct recruitment was also limited to the nominations made by Commissioners, Board of Revenue, and Director of Public Instruction.

In 1910 the rules were revised once more, which are still in force. By these rules, the

proportion of two-thirds and one-third appointments was changed into half and half between promotion and direct recruitment. The powers of nomination vested in the Inspector-General of Police, Director of Public Instruction, and the Public Works Department were transferred to the Board of Revenue alone.

This direct recruitment was distributed as follows:—

(1) To men belonging to big land-owning classes ...	3
(2) To men belonging to families which have rendered meritorious service to the State ...	2
(3) To distinguished Indian graduates,	2
(4) To Europeans and Eurasians ...	2

NOTE.—A lower educational test than a graduate was made permissible in the case of classes 1, 2 and 4.

For want of full statistics I am unable to give the number of officers recruited year by year under each system but, with the exception of a limited number of men of the competitive examination, the entire Service now consists of men who obtained appointments by nomination.

46207. (5) Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year?—*Executive Branch.*—There are 25 European, Anglo-Indian, Eurasian, and Native Christian Deputy Collectors at present, but I am not in a position to state as to how many of them are not statutory Natives of India.

46208. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment, do you recommend? For direct recruitment do you recommend *(a)* open competition, *(b)* nomination, *(c)* combined nomination and examination, or *(d)* some other method? Please describe fully the system that you recommend?—*Executive Branch.*—"Nomination" in general has been the most common method of recruitment tried in the United Provinces and has not always, I daresay, except in cases particularly of direct recruitment, proved quite satisfactory. Men rising from the lowest ranks of the menial service also found place in it. Even the later attempt of confining recruitment to the Executive Subordinate Service is, in my humble opinion, equally bad, inasmuch as, most of these officials also belong to the same class. The result is that with the exception of a slight improvement resulting from the direct recruitment and competitive examinations, the Executive Branch of the Provincial Service still compares rather unfavourably with the Judicial branch so far as the purity of character is concerned. Instances can be found where (1) perfectly unfit persons have succeeded in securing a nomination; (2) officials, whose purity of character was not above suspicion and who were consequently discarded by one officer, again managed to secure nomination from other officers. Similarly, the nominations of officials from the Police, Education or other departments have not always proved successful. Persons rising from the lower ranks of the Police were not likely to turn out to be good Magistrates. The system to appoint young men direct as Naib Tahsildars as a field of preliminary recruitment for the Provincial Service has also failed to some extent. They naturally take too long to pass through as Naib Tahsildars and Tahsildars to the Deputy Collectors' grade, and a long service with the officials of the low type referred to above often makes themselves of the same type. Pure competition was not tried in these Provinces. A large number of marks were assigned for social position and family claims, thus the men on the top did not necessarily secure the appointments. There were two defects in this system: (1) Men already serving in the subordinate posts elsewhere were also allowed to compete, which opened a door for men of inferior status to creep in. (2) The successful candidates unluckily did not always receive good chances of a very satisfactory training, and thus for a period they could not prove themselves so useful officers as their trained colleagues who entered the Service by promotion. In course of time, however, they undoubtedly turned out to be good judicial officers (as Deputy Magistrates and Assistant Collectors) but not very good executive officers simply for want of the training alluded to above. The system was given up only after a very short trial of about five years and the old system of nomination for direct recruitment as well as for promotion from the subordinate service, was reverted to again. In the case of promotion from subordinate service it continues to be as bad now as it was in the old days, while in the direct recruitment, the Government does not get the best material available in the country. Therefore, the best system, in my opinion, would be combined nomination and examination. If an applicant is not considered socially, physically, and otherwise fit, he should not be allowed to compete. Only those on the top should be taken to the extent of the number required. At least two-thirds of the vacancies may be filled up in this manner. The remaining one-third may be recruited by promotion from among selected Tahsildars who are, if possible, graduates *and* who were appointed as Naib Tahsildars by direct recruitment and not by promotion from the lower ranks.

The rigid observance of the rule, confining selection almost entirely to the graduates and High Court Vakils in the Judicial branch, has made it so pure during the last 20 years or so, and thus the method of recruitment, as suggested above, seems to be the only way to raise the Executive Branch also to the same high standard of efficiency and purity of character. The exercise of legitimate patronage in the distribution of the higher posts to the men of different classes of the people is necessary on political grounds, but the motive requiring the highest and most respected and coveted Indian Service to be kept free from even a shadow of suspicion of impurity, appears to be an equally strong reason of political importance.

There are other ways of safeguarding the interests and claims of individuals and classes where it is necessary and desirable, but in the case of this particular branch of the Service, where the pay is low and the temptations so great, the Government cannot be too careful to select its men. The Statutory Civil Service

scheme, I may be allowed to say, failed not because the principle, underlying the statute itself was defective, but because unsuitable men found place in it by the not sufficiently well-guarded nomination system. If this view were correct, I venture to think, that it would be agreed that too much caution cannot be used in the nomination and selection of young men for the Provincial Civil Service also. *Judicial Service.*—The rule of 3 years' practice as a takil before appointment as Munsif results in even third class practitioners coming up for Government service. Three years is generally enough for a man to see if he would make a successful legal practitioner and if he finds he would, he would never care for service. Ordinarily, a man cannot secure the post of a Munsif unless he is a graduate in Arts and in Law or is a High Court Vakil. There is, therefore, no need for a separate competitive examination. The result of the Law Examination is a sufficient test and some of those from the top, if otherwise suitable, may at once be enlisted as approved candidates to the extent of likely vacancies in each year if they apply for it. They may, thereafter, be allowed to practise for one year pending their appointment. If after that period it is found that they have the aptitude of becoming good Judicial officers they may be appointed on probation and attached to the courts of selected Subordinate Judges and Sub-Divisional Magistrates in turn for six months or so and may then be allowed to work independently as Munsifs. The present rule about recruitment by promotion may stand, provided the appointment is secured within a limited period of the candidate's passing the Law Examination.—*Both branches.*—In both the branches of the Provincial Civil Service it is of very great importance in the case of recruitment by promotion that the men may be selected for promotion at the very earliest stage possible, and before the atmosphere of their surroundings in the lower ranks which are naturally not very healthy has produced any permanent effect on them.

46209. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—*Executive branch.*—Non-residents are seldom appointed. It is necessary that only residents of the province should be appointed. They have the best claims for local appointments and are best qualified too, owing to their superior knowledge of the character and colloquial language of the people.

46210. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—*Both branches.*—All classes and communities are represented and I think this is desirable as long as efficiency is not subordinated to class considerations. No community is so backward now as to require Government's favouring it by employing its men even though better qualified men are available. If Government accepts this policy for a few years even a backward community will strive and come up to the mark soon. The hopes of securing favour on class considerations will only demoralise it.

Executive branch.—If, however, Government finds it necessary to bring about an equilibrium, the appointments on this score should be confined to those given by promotion from among tahsildars. The selection, however, should be restricted to those tahsildars who had been appointed as naib-tahsildars by direct recruitment and not by promotion from the lower ranks. If necessary, further extra direct appointments can be given to any community or class under the rule* empowering the Local Government to make such appointments in special cases.

* Paragraph 116, Manual of Government Orders, United Provinces.

The latest Civil List shows the following distribution in the Executive branch of the Provincial Civil Service in the United Provinces :—

Grade.	Hindus.	Muhammadans.	Christians.	Vacant.	Total.
Rs.					
800 ...	1	2	1	...	
700 ...	2	1	3	...	6
600 ...	3	6	1	2	12
500 ...	18	13	5	...	36
400 ...	32	16	3	1	52
300 ...	26	27	2	...	55
250 ...	28	25	4	1	58
Probationaries and Honorary Deputy Collectors awaiting appointment as Probationary Deputy Collectors.	23	18	5	...	46
On foreign service ...	7	11	1	...	19
Total ...	140	119	25	4	288

Taking population as a test, the Hindus and Muhammadans who represent about 85 and 14 per cent. in these provinces according to the latest census, hold a little over 49 and 41 per cent. of the posts of Deputy Collectors respectively. These figures speak for themselves and need no comment. It will also be noticed that in the 3 highest grades, the Hindus are in great minority holding only 6 posts against 9 and 5 held by Muhammadans and Anglo-Indians, &c., as a result of over-recruitment of those communities about 20 years ago. In Sir Antony (now Lord) MacDonnell's time, the appointments were distributed between the Hindus and Muhammadans almost in the proportion of 2 to 1. This is faithfully represented in the recruits of his period (the Rs. 400 grade). Since then, nearly half the appointments have gone to them. As regards the men in the foreign service the Muhammadans outnumber the Hindus.

In the first place the policy of the fittest should be adhered to and selection should be made mainly by competitive examination as far as possible. No one would then have any cause for complaint and each community would try, as it has been trying of late, to make itself fit for competition. On the other hand, no community should, by the nominations system, get more than its legitimate share, and efficiency should by no means be sacrificed to any considerations based upon mere racial questions. In my opinion, Government need hardly carry this point any further by entering into the question of the representation of sub-classes, *i. e.*, Sunnis and Shias among Muhammadans, Roman Catholics and Protestants among Christians and the numerous castes and religious sections among Hindus and so forth.

46211. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—*Executive branch.*—The rules direct a preliminary training under a Deputy Collector and then learning "Judicial work under the guidance of the District Officer who should closely supervise their proceedings. The District Officer is responsible that they are trained in all branches of their work."

The principle is quite right but in practice the rule does not work satisfactorily. I would suggest the following procedure:—

All tahsildars promoted as Deputy Collectors can commence working as such at once and without any further training as far as revenue and executive work is concerned. They should be given 1st class Rent (not Revenue) and 2nd class Magisterial powers when they are selected and should learn judicial work by attending the courts of selected Sub-Divisional Officers and Subordinate Judges and the Sessions Court for at least a few months when they are appointed as Deputy Collectors. They should not be confirmed till they have passed the departmental examination and are favourably reported on by the District Officer.

Regarding the men appointed by direct recruitment they should, in the beginning, learn work with selected tahsildars and thus get an insight into the working of the Revenue Administration. Later on, they should sit with selected Sub-Divisional Officers in court and see how criminal and revenue cases are disposed of. By and by, they should be given 3rd class Magisterial and 2nd class Revenue powers and get simple criminal and revenue cases to try under the guidance of the Sub-Divisional Officers. Next year, they may get 2nd class Magisterial and 1st class Revenue powers, if they pass the departmental examination in the meantime. They should, thereafter, be allowed to attend the Sessions Court and the court of selected Subordinate Judges for at least a few months in the latter part of the 2nd year before they get 1st class Magisterial powers. In the beginning of the 2nd year of their training, they should also be attached to the court of the officer-in-charge of English and Vernacular offices and record rooms. The office papers should go to the District Officers through them and after the District Officers have passed orders on them they should be returned to office through them so as to enable them to pick up the routine of the department. In both these years, they should accompany selected Sub-Divisional Officers to camp in the cold weather and learn the out-door work of Sub-Divisional Officers. If possible, they should be attached for a time to Deputy Collectors employed on settlement work and on the revision of records. They should also attend the Survey Training Class as usual for a short time. They should be confirmed, after two years, if they are well reported on by the Sub-Divisional and District Officers concerned. It is not possible for the over-worked District Officer to take much personal part in the training of the probationers, but as the office papers would pass through him and he will hear the appeals he can supervise their training.

46212. (10) Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—*Executive branch.*—The existing system of departmental examination is fairly satisfactory. It has been made elastic recently and the use of books is now freely allowed to the candidates. The *viva voce* examination, however, may with advantage be further extended to check if the practical training given to probationers, has been quite successful.

The rules about exemption from departmental examination, however, require revision. If the inefficients were not recruited by the nomination system, there would be little necessity for exemptions, and if service as tahsildar has been *really* good and meritorious, a man with 10 years' training as such, should be able to easily pass the Deputy Collectors' departmental examination with the help of the books, which the candidates are now allowed to consult in the examination. If he can't pass the examination with the help of books even, he is apparently unfit for being invested with higher judicial powers and should be reverted. If any inefficients have secured appointment by the nomination system, they can be eliminated in this manner.

46213. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—*Executive branch.*—Please see the reply to question (20) about Indian Joint Magistrates.

46214. (12) What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—*Executive branch.*—The system on which the strength of the Service is fixed is something like this.

The number of sub-divisional and other charges including the number of officers likely to be on deputation, employed on land acquisition work and settlement work, as Court of Wards' managers and so forth, is counted up. The number of posts to fill which junior members of the Indian Civil Service of about 2 to 8 years' service are available, is deducted from the total and the balance is taken to be the strength required for the Service. To this number is added a leave reserve at about 14 per cent. in the lowest grade of the Service and a number of probationary officers are appointed according to the likely number of annual vacancies. This is quite satisfactory, and I have no alterations to suggest, except that each charge should be reasonably manageable by one man. At present, an officer does not get breathing time in the discharge of his sub-divisional work alone and has to hurry it on. All the same, he is expected to take up heavy extra miscellaneous work also. To quote one instance, though a whole-time man is now-a-days often necessary as District Board Secretary yet an officer in charge of a sub-division is generally required to do that work in addition to his own.

46215. (13) In particular, is the leave reserve adequate, and the system on which it is graded suitable?—*Executive branch.*—The leave reserve is 27 in a cadre of (222 + 1 + 28) 251 against 49 in a cadre of 244 in the Indian Civil Service. Men of the Indian services, however, require comparatively much less long leave and the reserve has so far proved sufficient. But, as regards short (privilege) leave, the arrangement is not satisfactory and as advocated in my reply to question (31) the old system of allowing Government to appoint local approved candidates in the subordinate service as officiating Deputy Collectors may be revived.

46216. (14) Is there any reserve for officers under training and is it adequate?—*Executive branch.*—There is no reserve.

46217. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—*Executive branch.*—The rate of recruitment was raised from 6 to 8·5 per cent. in 1908, the approximate number of annual vacancies being put down by Government at 19. I am unable to say how this rate was fixed. The number of actual vacancies, however, seems to be far too short owing to the block in promotion. During the last five years they work out to be—

17 in 1908,
10 in 1909,
14 in 1910,
16 in 1911, and
11 in 1912,

vide the last (7th) grade of Deputy Collectors in the Civil List of January 1913.

The flow of promotion too does not seem to be even. The present officers in the 4th grade, for example, appear to have reached it in the following periods:—

1 in about 7 years. 1 in about 8 years. 1 in about 9 years.	These men belonged to the subordinate service and were put over the heads of senior officers about 1903.
1 in about 9 years.	
1 in about 12 years.	
6 in about 13 years.	
12 in about 14 years.	
15 in about 15 years.	
2 in about 16 years.	
2 in about 17 years.	
1 in about 18 years.	

46218. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—*Executive branch.*—The rule about selection for promotion to higher grades runs as follows:—

"Promotion up to 5th grade of Deputy Collectors will ordinarily be given by seniority. Promotion to the 4th grade and higher grades will be awarded strictly by selection." (Paragraph 126, Manual of Government Orders, Vol. I.) Promotion is, however, seldom given by selection. Only the promotion of the officers, against whom there is some specific blot or who have been punished on account of some misconduct, is stopped temporarily and the juniors next below them are allowed to supersede them. The number of such cases is naturally very small. This, moreover, is the case throughout the Service and not only in the 4th grade and upwards. Any system of selection, which would naturally be based on the confidential reports of District Officers, cannot be satisfactory, as it will depend more or less on the idiosyncrasy of individual officers. Black sheep there are and always would be in every service. Owing to the admission of the unsuitable men by the nomination system, there are still officers in the Executive branch of the Provincial Civil Service who are not of spotless character and quite up to mark. Their number is not large now, but to allow promotion to these few also, merely on the ground of seniority, would be putting a premium on unfitness. Quite naturally, this is keenly felt by the other members of the Service and deserves to be stopped. The opinion of one officer or two should not carry much weight, but if several officers testify to this, such men should not be promoted. This may be expected to immensely improve the tone of the Service in a short time.

I would apply this rule of eliminating the undesirables from the very beginning and not from the 4th grade only. The inefficients too should be weeded out in the very beginning. There would then be little left for selection later on except that officers who have special experience of any class of work or who have otherwise distinguished themselves may be allowed special promotions.

46219. (17) Are you satisfied that under the existing system of promotion the interest of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly, on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—*Executive branch.*—The existing system seems to require revision in the interest of both the officers and the Administration. Something has to be done to remove the block in promotion. In reply to questions (40) and (44) relating to superannuation and voluntary and compulsory retirement, I have attempted to show that the men who become past work, try to continue in service and though they manage to drag on, the State cannot get that much work out of them as from the younger members. Their continuance in the Service stands in the way of the promotion to the Juniors and it is not in the interest of Government that they should have no hopes left to rise to the highest grade in their service. Taking the members of the 5th grade of Deputy Collectors for example, it will be easily found by a reference to the History of Gazetted Officers that there are 27 out of 51 in that grade, at present, who will complete 55 years of age within 10 years and there being only 10 posts in the 1st and 2nd grades, 17 would not reach those grades even if all the men in them retired within that period. Many would not reach the 3rd grade even. The revision of the rules relating to compulsory retirement and promotion by selection advocated in replies to questions (16), (40), and

(44) or the introduction of the time-scale of pay—whichever may be found to be more economical to Government—would seem to be the only remedies besides eliminating of the inefficients on reduced rates of pension.

46220. (18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—*Both branches.*—The functions of the two branches are different. The work of the Judicial branch is limited to the trial of civil suits alone. The Executive branch has to try criminal cases and all suits between tenants and landlords, deciding questions of title also where necessary. The procedure in these suits is exactly the same as that in civil suits dealt with by the Judicial branch. The Executive branch has also to decide disputes relating to record of rights.

Until the scheme of complete separation of the judicial and executive work, which has never been tried and is, therefore, of doubtful success, is resorted to, the present system seems the best. The purely monetary suits between tenants and landlords or between the landlords themselves, *e. g.*, suits for arrears of rent and arrears of profits and settlement of accounts between co-sharers, may, however, be with advantage transferred to the Munsifs and Sub-Judges. The appeals in such suits already lie to the Judges and not to the Collectors and Commissioners. The interests of the tenants would remain safe in the hands of revenue officers who will find some relief, which they want badly.

The executive and administrative functions of the Executive branch are multifarious and there is nothing corresponding to them in the other branch.

46221. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—*Both branches.*—The principle of throwing open listed posts to the Provincial Civil Service is the only means of giving more posts to Indians in the higher branches of the Service and the present system followed in making appointments is suitable. The number of these posts is, however, too small considering that the simultaneous examination for the Indian Civil Service is not likely to be introduced for some time to come and the competition by Indians in England is so difficult owing to the numerous things in their way. It can be increased as follows:—

(1) As long as Assistant Sessions Judges are taken from the Judicial branch of the Provincial Civil Service only, in which there is no chance of learning criminal work at all, and are not selected from the Executive branch, where a man starts doing this class of work from the earliest stage, the number of Sessions Judges' posts must remain mostly in the hands of the Indian Civil Service officers. There is, however, no reason why District Judgeships should not go largely to the Judicial branch of the Provincial Civil Service, which is admitted on all hands to have proved to be a class of exceedingly efficient officers as Judges on the civil side. It seems quite possible to divide the Judges into two classes as District Judges (on the civil side) and Sessions Judges (on the criminal side). The number of posts will not have to be much increased; only, the jurisdiction will have to be revised and re-arranged. But, whether the system of recruitment of Assistant Sessions Judges is changed or the Judges are divided into two classes, the number of listed posts under this head can be increased without any fear of deteriorating the Service—at least one-third of the appointments can be listed as recommended by the last Public Services Commission as well as by the Government of India.

(2) The British spirit and character of the Administration must be maintained at any sacrifice and, therefore, the post of District Officers must remain mostly in the hands of the Indian Civil Service. But at present, only two posts out of 48 or only one-twenty-fourth part are listed. The present number is too small and the proportion should be increased to at least one-sixth, the limit recommended by the last Public Services Commission and the Government of India. All need not be filled up by the Provincial Civil Service at once.

(3) The following additional posts can also be listed:—

(*a*) Registrar of the High Court.

(*b*) Registrar of the Judicial Commissioner's Court. (This post was never held by the Indian Civil Service before.)

(*c*) Legal Remembrancer to Government.

(*d*) Deputy Director of Land Records—after all, it is a subordinate post under the Director's direct supervision, and the Provincial Civil Service men are so thoroughly conversant with detailed working of the department that they can successfully hold it

(*e*) The three Under Secretaries to Government. This too was recommended by the last Public Services Commission and endorsed by the Government of India. Madras, Bengal, Punjab, and Bihar and Orissa have listed one such post each and I don't think the United Provinces Provincial Civil Service cannot give capable men for these posts. Giving of these posts to the Indians would gratify them more than anything else. The Indian Under Secretary would be of immense value in the Secretariat, being always on the spot and able to give reliable and correct information of the Indian views on any important matters that may turn up. With a little training, having a vast amount of experience—for only experienced men would, of course, be appointed—they are bound to turn out successful officers. All the posts may be listed, but only one may be given to an Indian at first as an experiment.

46222. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—*Executive branch.*—The reply to this question is in the negative emphatically. The arrangement of listing nine posts of Joint Magistrates for the Provincial Civil Service and then merging

them into the Deputy Collectors' cadre is a source of very great dissatisfaction to the Service. It has not benefited the Service in the slightest manner. The work in the revenue and executive departments has increased enormously and is increasing day by day. At intervals, it is bound to become physically impossible for the sanctioned staff of Deputy Collectors to cope with the work as has been proved over and over again by the experience in the past. The cadre must, therefore, be increased periodically unless some measure, not yet discovered, is devised to lessen the work. A staff of 107 Deputy Collectors was sanctioned in 1882 (Government Order No. 1578 of 15th March 1882). Thirty-one extra posts of Deputy Collectors were sanctioned in 1894 (Government Order No. 218/II—658-B of 20th January 1894). Seventy-three extra posts of Deputy Collectors and 25 posts of Probationary Deputy Collectors were sanctioned in 1903 (Government Order No. 4535/II—30-D of 20th October 1903). Thirteen more posts were sanctioned in 1907 (Government Order No. 2744—149 of 20th June 1907). The number thus increased from 107 to 249 in 25 years. The nine posts of Joint Magistrates were transferred in 1892. Over 100 posts have been added to the cadre since then, and it is believed that an increase of over 50 more is under contemplation, if not already sanctioned by the Secretary of State. Listing nine Joint Magistrates' posts by increasing the number of the posts in the cadre was, therefore, meaningless. It may be urged that the Indian Civil Service cadre was reduced by nine and that, therefore, it was an indirect gain to the Indian Service. Recruitment in the Indian Civil Service is also, however, based on the requirements of each Province and although I have not complete statistics before me but the number of the Indian Civil Service was less than 200 twenty years ago and is 244 now. Be that as it may, we do not want these posts at the sacrifice of the interests of the Indian Civil Service, but independently as a means to improve the status of the Provincial Civil Service.

The only way to make the listing of these posts effective is to form a separate grade of Indian Joint Magistrates just as there are Indian District Magistrates and Indian Judges. Four posts of Joint Magistrates, 1st grade (Rs. 1,000) and five posts of Joint Magistrates, 2nd grade (Rs. 700), have been 'listed.' They have been merged in the Rs. 600 and Rs. 400 grades of Deputy Collectors, respectively. The pay of Indians on the two-thirds system would be about Rs. 650 and Rs. 450. These two scales may form a separate grade of Indian Joint Magistrates. Promotion to these grades may be limited to those officers only, who are expected by Government to be fit for holding the post of Collectors after training. Seniority alone should be no claim for these posts. The members of this new grade should be put in charge of important sub-divisions like Kasia, Karwi, Mahoba, and others, which are at present given to the Indian Civil Service. The number of these selected sub-divisions can be increased. The local allowance (at present paid to Indian Civil Service and Provincial Civil Service men holding such appointments) and first-class travelling allowance should be given to these men They should be given almost all the powers of District Officers—administrative as well as appellate—as are exercised by the Indian Civil Service Sub-Divisional Officers in charge of such sub-divisions at present. This special grade should, in fact, be the training ground for the post of Magistrate and Collector, and the appointment to the listed posts of heads of districts should be strictly confined to this grade, and this grade alone.

In this way—

(i) The cause of dissatisfaction with the present practice will be removed.

(ii) The status of the Service will be greatly raised by having real Joint Magistrates in it.

(iii) The training of officers will be complete before they are appointed as heads of districts.

(iv) The greatest drawback in the present system of appointing men to higher posts when they are on the verge of retirement will be removed and it would be possible for Provincial Civil Service officers to get these appointments at an age when after gaining sufficient experience on that post they may, on the ground of proved individual fitness, aspire to the one post of Commissioner of Division and one post of Board of Revenue recommended by the last Public Service Commission to be thrown open for the Provincial Civil Service. The Government of India also thought one Commissionership as an object of legitimate ambition to the Provincial Civil Service and recommended it to be thrown open to it with certain reservations (paragraph 13 of their letter No. 58, dated the 9th October 1888) and the Secretary of State endorsed the view that in special circumstances, members of the Provincial Civil Service may be appointed to that post (paragraph 16 of his Despatch No. 104 of 12th September 1889).

If the furlough rules are revised as recommended elsewhere, and these Indian Joint Magistrates get a chance of going to England for a sufficient period, the scheme sketched forth above would be an ideal one. The Indians would get a larger share in the administration if they proved themselves to be fit, and the minimum of European officers, so necessary for India, would be fully maintained.

The remarks about the Joint Magistrates' posts apply equally to the two posts of Assistant Settlement Officers listed for the Provincial Civil Service. Two officers were at first appointed to these two posts. In 1903, however, the posts were merged in the general cadre of the Deputy Collectors. One of them is now a Sub-Divisional Officer and the other has taken up foreign service. The Service does not gain anything by the merging of those two posts in its cadre and nothing short of actual appointments as Assistant Settlement Officers with all the privileges attached to the posts, when settlement operations are in progress in the Provinces, can satisfy the Provincial Civil Service. This will not cause much cost to Government and the Assistant Settlement Officers of proved individual fitness may, in time, become fit to be appointed as Settlement Officers.

46223. (21) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—*Both*

Branches.—In paragraph 36 of the Secretary of State's Despatch No. 104 of 12th September 1889, he had ruled out the term "Provincial Service" and ordered that the service "should be designated by the name of the particular Province to which it belongs, *e.g.*, 'the Madras Civil Service,' 'the Bombay Civil Service,' 'the Punjab Civil Service,' and so forth."

Somehow or other, however, the old proposal of the Government of India was retained. The objection to the name is only on sentimental grounds and is, therefore, of no great force. Personally, I have no particular objection to it. But the term "Provincial Service," by the treatment meted out to it, generally implies an inferior class though its members have to carry on most of the most important part of the Administration, are the most hard-worked officers of the lot, and do exactly the same work as Indian Civil Service Joint Magistrates. People have gone so far as to call it a "pariah" service and it is time that this undeserved stigma may be removed. For want of a better name, I would recommend the adoption of the Secretary of State's orders quoted above.

46224. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary, should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle is right enough but the "desired qualification" should be the highest and best form of education on Western lines in the beginning and thorough judicial and administrative education later on. After the post of Collector and Magistrate, the next most important post in the lower ranks in the Indian Empire is that of Deputy Magistrates and Collectors (Deputy Collectors). The popularity or otherwise of the British Administration depends a good deal on the work done by them. The masses generally and the tenant class particularly, value the British Administration according to what justice they get at the hands of these officers, for only a small proportion of their decisions go much higher up in appeal. The powers exercised by them are high. Any money spent to put temptations out of their way would be money well invested and the terms should be so liberal as to secure a class above all temptations.

46225. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years: 1890, 1900 and 1912. When was the last general re-organization effected; and what improvement of prospects was effected thereby?—*Executive Branch.* The following table gives the information:—

Grades.	Number in each grade.			Remarks.
	Before 1893.*	In 1893	In 1912.	
1	2	3	4	5
I.—800 ..	3	4	4	
II.—700 ..	4	5	6	
III.—600 ..	8	9	10 (*a*)	(*a*) Excluding two posts of Joint Magistrates not yet actually transferred to Provincial Civil Service.
IV.—500 ..	18	22	35 (*b*)	(*b*) Excluding one temporary post.
V.—400 ..	29	40	52	
VI.—300 ..	26	36	55	
VII.—250 ..	19	24	58	
Total ..	107	140	220	
Probationary Deputy Collectors at Rs. 100 to Rs. 250.	..	..	28 (*c*)	(*c*) One post appears to have been added after 1907.

* The exact figures for 1890 are not known.

The last general re-organization took place in 1903, but since then 11 more posts were sanctioned in 1907—

1 in the 3rd,
2 each in the 4th and 5th, and
3 each in the 6th and 7th grades,

besides those of two Probationary Deputy Collectors. The improvement as compared with 1893 will be noticed by comparing the figures in columns 3 and 4. It seems strange that in increasing the cadre in the past, the percentage of posts carrying higher rates of salary was decreased each time.

The present number is still inadequate but a large increase will, it is understood, take place soon and the United Provinces Government is believed to be improving the numbering in the different grades also a great deal.

46226. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—*Executive branch.*—I will take up the question of the rates of pay first. These were fixed long ago, when the standard of living was so cheap. That it has become exceedingly dear during the last 20 years or so will be admitted on all hands. In the good old days within my own recollection, one could get a grass-cut and syce combined at Rs. 3 *per mensem* in these Provinces. The lowest pay now is Rs. 6 for the former and Rs. 7 for the latter. The house rent paid by the

most senior Deputy Collector did not go beyond Rs. 10, when I was a boy. Things have changed so rapidly that even the most junior man has to pay not less than Rs. 20 now and a house rent of Rs. 40 is about the average. The cost of educating one's children has more than quadrupled. The prices have also gone up very considerably during this period. These are only a few out of scores of examples that can be cited. These facts by themselves make out a very strong case for raising the pay all round.

The Provincial Civil Service is divided into two branches—Judicial and Executive. In the former branch, eight posts of Judges are now reserved for it, in contrast with only two posts of Collectors and Magistrates in the less fortunate sister Service. It has now four posts in the Rs. 1,000 grade against not even one in the latter. One gets all the Assistant Sessions Judge's posts, while the other gets none. The initial pay of a Probationary Deputy Collector is only Rs. 100 as compared with Rs. 175 of a Probationary Munsif. These distinctions are invidious and can hardly be justified. The duties of a Deputy Collector are more multifarious and onerous and by no means less responsible. A civil officer being stationary can manage to live more economically. A Deputy Collector, on the contrary, has to do a good deal of knocking about and has thus to meet much extra expense, not fully compensated for by the travelling allowance allowed to him. As a Sub-Divisional Magistrate and Assistant Collector in charge of a subdivision, responsible for its general administration (both revenue and criminal), his position in the district administration is next to that of the Collector and Magistrate alone. He has to be an Account Officer, Auditor, Engineer, Sanitary Officer, Detective, Prosecutor, Judge, Literary man, Business man, and what not, to be a successful—

(1) Treasury Officer,
(2) Inspector of mufassal institutions requiring check of accounts,
(3) District Board Secretary, checking plans and estimates of buildings now going up to Rs. 2,500, and supervising their construction and the road repairs, &c.,
(4) Excise Officer,
(5) Stamp Officer,
(6) Land Acquisition Officer,
(7) President of Notified Areas (big towns with local self-government),
(8) Inspector of villages in which Village Sanitation Act is in force,
(9) Inspector of Educational Institutions,
(10) Administrator of town areas in which Act XX of 1856 is in force,
(11) Superintendent of Jail (occasionally),

and so forth. The list is not at all exhaustive and a Deputy Collector's functions are too many to be enumerated. At times, he has to rise to the occasion, *e.g.* in cases of sudden emergencies, to suppress riots, to arrange for famine relief in the hottest season and to look after plague-stricken areas on the spot, not unoften at the risk of his life. To run the arrangements for big fairs and such other things is becoming almost one of his routine works. He is, in fact, to be handy and ready for any emergencies that may turn up in the administration of a district.

I have gone into these details at the risk of being lengthy and tedious, but if I only succeed in drawing attention to the high standard of efficiency required of a Deputy Collector and thereby invoking a sympathetic attention towards him in the consideration of the question of his pay and prospects, I will not be at all sorry.

Comparisons are odious but the inequality in work as well as prospects at present existing between the two branches of the Provincial Civil Service is most keenly felt by the whole rank and file of the Executive branch, and I would very strongly invite the attention of the Commissioners to it.

It can be remedied by—

(1) adding one grade of Rs. 800—40—1,000 with four posts and thus equalising its prospects with the other branch; and
(2) raising the pay of the Probationary Deputy Collectors from Rs. 100—50—200 to Rs. 175—200.

As regards the scale of pay in each grade the position at present is the worst as compared with the other Services. The following comparative table would illustrate my meaning :—

Grades.	Indian Civil Service, Collectors and Joint Magistrates.		Judges, latest scale.		Provincial Civil Service (United Provinces), Judicial Branch		Provincial Civil Service (United Provinces), Executive Branch.	
	No.	Percentage.	No.	Percentage.	No.	Percentage.	No.	Percentage.
I ...	19	20·2	2	6·4	4	2·7	4	1·8
II ...	21	22·3	7	22·6	10	6·7	6	2·7
III ...	10	10·6	7	22·6	13	8·7	10	4·5
IV ...	2	2·1	10	32·3	22	14·8	36	16·3
V	2	17·0	5	16·1	32	21·5	52	23·5
	14							
VI ...	6	6·6	...	...	34	22·8	55	25·0
VII ...	20	21·2	...	...	34	22·8	58	26·2
Total ...	...	100	...	100	...	100	...	100

NOTE.—Probationary Deputy Collectors and Munsifs and Indian Civil Service Assistants under training have been left out of account.

The proportion of the posts in the higher grades of Deputy Collectors compares very unfavourably with that in the other Provinces also. But, criticism on this question will be of little value till the new regradation under consideration is published. The Government, it is believed, is improving the redistribution a great deal. Only half the posts should, however, if possible, go to the last three grades.

46227. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—*Both Branches.*—Officiating promotions are made in all the higher services in India. They are also made in the lower services of ministerial and non-gazetted staff. Even, Assistant Sessions Judges of the Provincial Civil Service, I believe, get these temporary promotions. There is no apparent reason why the Provincial Civil Service should be debarred and made an exception. I think the privilege should now be extended to the entire

Provincial Civil Service unless a time-scale is introduced.

46228. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or not?—*Executive Branch.*—Unless some other scheme can be devised to remove the block of promotion among the Deputy Collectors, the introduction of a time-scale of salary seems to be the only remedy. I have no personal experience of the practical working of this system in other services, but the scheme recently sanctioned by the Secretary of State for India for the officers of the Public Works Department (*vide* Government of India Resolution No. 439—458-E of 15th May 1912) would, I think, be suitable for the Deputy Collectors also. The pay there too begins with Rs. 250 as in the case of Deputy Collectors. An increment of Rs. 25 a year is allowed to them up to 10 years, of Rs. 55 in the 11th year and of Rs. 35 a year later, each man receiving Rs. 850 in 20 years. In the case of Deputy Collectors the Rs. 800 grade may be reached by annual increments in 20 years and if the Rs. 1,000 grade, already allowed to the Judicial branch, is allowed to the Executive branch also, an increment of Rs. 40 a year may be given afterwards, the full pay of Rs. 1,000 being allowed in the 25th year.

The ideal scheme in this case would be to have the same scale of pay for both the branches of the Provincial Civil Service. The increment would, of course, be stopped if at any time a man is found to be unfit for it.

46229. (28) What is your experience of the practical working of time-scales of pay in other Indian services?—Please see the reply to question (26).

46230. (29) If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scales in Provinces where the scale of pay of the Executive and Judicial branches of the Service is different?—Please see the reply to question (26).

46231. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

46232. (31) Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—The statistics are not available, but it can safely be stated that long leave is seldom taken by members of the Provincial Civil Service except for very urgent private affairs or when their health so breaks down that they are unable to work further. There has been no apparent change in this respect during the last 20 years. The reason is not far to seek. They have onlywo years furlough in the entire service which they generally put off for emergencies or as a reserve preparatory to retirement. Their pay is so low as compared with the position they have to maintain as members of an Indian service of the highest prestige under the Government, that they cannot afford to live on the leave allowance, specially because, under the oriental system they have not only to support their wives and children but a host of other relations and dependants. Moreover, only one year's furlough up to 25 years' service counts for pension and this acts as a drawback in one's taking furlough more often. As regards short (privilege) leave, too, they have been working under a distinct disadvantage since the introduction of Probationary Deputy Collectors' grade in 1903. In the old days, if a Deputy Collector wanted leave and the District Officer found he could not spare him without a substitute, a local or divisional substitute was temporarily appointed to officiate for the man and he was freely allowed the leave. Such officiating appointments having been done away with, no District Officer can ordinarily recommend leave for more than a month or so without requiring a substitute. As it is, he is badly handicapped in arranging for the work even for this short period, as the work of the Sub-Divisional Officer has increased to such an enormous extent during the last decade or so that it is exceedingly difficult for another Sub-Divisional Officer to carry on the work of an absentee in addition to his own. Under this system, what is a little relief by leave to one officer is a serious strain on the other and the work too always suffers by this makeshift arrangement. The taking of the privilege leave for over six weeks almost invariably means the posting of an officer from outside to relieve him and that, in turn, means a transfer. Constant transfers are not only inconvenient but are very expensive, the travelling allowance allowed to Deputy Collectors being ludicrously insufficient to cover their actual expenses. It is no wonder, therefore, that a Deputy Collector, however hard pressed for leave he may be, seldom applies for his full privilege leave unless he desires a transfer. The remedy is easy enough. Persons appointed by direct recruitment may continue to be appointed as Probationary Deputy Collectors. While those selected to be promoted from the subordinate service may continue to act on their posts till a vacancy in the last grade occurs for them. This would serve two advantages. At present, they are allowed no increase of pay when they are appointed as Probationary Deputy Collectors. A Tahsildar on Rs. 150, if appointed as a Probationary Deputy Collector, continues to get only Rs. 150 though his expenses rise a deal by his coming to a head-quarter station and living in a better style to suit his new position. Though it appears paradoxical, it is a fact that promotion to him means a pecuniary loss till he is confirmed after about two years. Secondly, these approved candidates can be temporarily employed to officiate for Deputy Collectors going on privilege leave. They would get Rs. 250, the pay of the last grade for the officiating

period and would not, therefore, mind the temporary shifting, and the permanent Deputy Collector would be secure against the fear of transfer and would be able to take the full privilege leave due to him to refresh himself and to recruit his health after a continuous strain for two years or so at a stretch.

(There is another anomaly. If an official of the subordinate service is finally selected for promotion and is appointed as a Probationary Deputy Collector he continues to get his own pay, say, Rs. 150, but, if he is only a candidate and is put in as a temporary Deputy Collector, he gets the full pay of the last grade, that is Rs. 250.)

Greater facility thus afforded in the grant of full privilege leave would diminish the number of applications for long leave and the proposed relaxations in the long leave rules will not cause much increased expense to the State.

As regards long leave the Indian Service gets—

(i) leave on medical certificate up to a maximum of three years in the total service;

(ii) one year's furlough after 10 years' service; and

(iii) Another year's furlough after eight years' further service.

As regards medical leave there is no help to an officer. But, as regards furlough, an Indian generally keeps it to the end of his service for emergencies and as a reserve for leave preparatory to retirement.

Two alternatives are suggested to improve matters :—

(1) The three years'medical leave may stand as it is, but the furlough at an officer's credit may be allowed to be taken at any time, subject to the two years' limit.

(2) The three years' medical leave may be done away with and five years' long leave admissible at present (three years' medical and two years' furlough) may be changed into five years' furlough, which one can take at any time, the 18 months' limit under Article 338, Civil Service Regulations, for taking furlough being also removed, provided—

(i) it is due or is claimed under a medical certificate;

(ii) it is not taken for more than two years at a time; and

(iii) it can only be given with due regard to the exigencies of the Service and, therefore, not exceeding a certain proportion to be fixed by Government.

The latter alternative would be preferred by the Service, and the State would also be a gainer, not only by the much simpler working of the long leave rules but also by removing one of the causes of dissatisfaction.

No one would deny, I should think, that the amount of furlough to be earned by officers of the Indian services is not necessary to the same extent as in the case of those subject to the European service leave rules. The fact that furlough—not long leave on medical certificate—is seldom taken by the Indian services confirms that view, yet it will have to be admitted that circumstances have materially changed of late and what was once an easy and pleasant work to the Government servants in the good old days is becoming a hard 'task' now. Work has not only become much more difficult with the increase of the general knowledge among the people and the abnormal growth in number of legal practitioners but has increased enormously in amount. The quickest conscientious worker cannot finish his day's work now in almost double the time taken up by his more fortunate earlier predecessor and certainly not in the time public offices are intended to remain open each day. The strain is becoming greater every day, especially, in the Executive and Administrative branch where there are no annual vacations and opportunities of rest, and where long leave at shorter intervals has become a necessity as much in the interest of the officers as in that of the State. In the European services, the amount of furlough earned is one-fourth of active service with a maximum limit of six years (Articles 299 and 302, Civil Service Regulations). In the case of the Indian services, I would put it down at one-fifth of the active service with a maximum of five years. The maximum proposed is the same as at present, and is not unreasonable. As regards the one-fifth limit, it may be pointed out, that at present a man with 18 years' service may have enjoyed his three years' medical leave and can take his two years' furlough. This gives him five years' leave in 18 years' service instead of only three years which would be due to him under the proposed rules. This would be counterbalanced to some extent by the doing away with the necessity for production of medical certificate for three out of five years' long leave due to an officer. The loss of two years' leave in 18 years' service is, however, great and, as furlough will be strictly limited to the 'leave reserve,' all applications for leave 'due' would in no case be 'admissible,' and, therefore, the proportion of one-fifth is seldom likely to cause any appreciable expense to the State. The members of the Provincial Civil Service would be able to go to Europe also to qualify themselves better for the 'listed' posts, if their furlough rules are revised as suggested above.

46233. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I have no changes to propose in the rates of furlough allowances.

46234. (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes.

46235. (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—If the furlough rules are revised as recommended above, no other leave would be necessary, except special furlough in urgent cases for a period not exceeding six months, only once in a man's entire service, even, if it is not due to him. This would take the place of the present special leave on urgent private affairs.

46236. (37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and if so, what; and what

remedy do you suggest?—As far as I can judge, no inconvenience is caused to the administration by the present leave rules.

46237. (38) In particular, are they a contributory cause of excessive transfers of officers, and if so, how can this difficulty be met?—No.

46238. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The system itself is satisfactory, but several modifications are desirable in its detailed working. (i) Under Article 408 of Civil Service Regulations furlough counts as service for pension as under:—

Period.	In India.	Out of India.
In 15 years' service ..	1 year ..	1 year.
In 20 years' service ..	1 year ..	2 years.
In 25 years' service ..	1 year ..	3 years.
In 30 years' service ..	2 years ..	4 years.
In 35 years' service ..	2 years ..	5 years.

The members of the Provincial Civil Service seldom go out of India and this rule works very hard. Officers feeling that they have overworked themselves and badly require rest cannot think of taking more than one year's furlough. The object of relaxing the furlough rules advocated in answer to question (31) would be frustrated a good deal if this rule is also not revised at the same time. It may be possible to allow furlough in India up to a year after 15 years' service and two years after 20 years' service to count for pension in addition to that spent out of India beyond two years up to the limit of five years under the present rules.

(ii) Voluntary retirement is allowed at present after 30 years' service. There has been a great demand for reducing this period to 25 years for a very long time by all the Services.

As a general rule, the members of the Indian services are seldom inclined to utilise the rule about voluntary retirement. The relaxation of the rule will, therefore, not cause any material increased cost to Government, but it will afford a chance to retire to those few who have overworked themselves in their youth in their zeal to serve the State but have not become so unfit as to be invalided by a Medical Board.

46239. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. But this step should be taken at the earliest possible stage. If the rules about recruitment were satisfactorily revised and the probationers were not taken and confirmed without a thorough test, the need for reduced pension to inefficient men would almost disappear. If, however, they have crept in somehow, it would be more economical in the long run to retire these men on reduced pensions than to allow them to drag on for the full period without doing the full work for which they are paid.

46240. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—No. The expenses of Provincial Civil Service officers holding 'listed' posts go up a great deal. Even after retirement they have to maintain their position. Members of the Provincial Civil Service holding 'listed' posts occupy the same position as those of the Statutory Civil Service whose pension was fixed at the usual rate up to a maximum of Rs. 5,000 after not less than 25 years' service, and of Rs. 6,000 after not less than 30 years' service (section 3 of Pension Regulations in Article 566 of Civil Service Regulations). This was 20 years ago. If no maximum were fixed, the pension admissible to holders of highest 'listed' posts at present would be Rs. 9,600. The Indian Civil Service pension is Rs. 15,000. At the rate of 64 per cent. the Indian maximum pension would come to exactly the same amount. It is possible, Government may find its way to throw open one or two still higher posts to the Provincial Civil Service, and that fact should also be borne in mind in determining the maximum. The living has become extremely dear as compared with 20 years ago when the maximum rates for the Statutory Civil Service were fixed. Taking all these facts into consideration, and also taking into consideration that some of the past service of the holders of the 'listed' posts would always be of more inferior class, I think a maximum of Rs. 6,000 after 25 years' service and of Rs. 8,000 after 30 years' service may be fixed, specially, if the proposal to select and train men for 'listed' posts is made at a very early stage of one's service.

46241. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The existing rules are not satisfactory in both respects. I give below a list (compiled from the latest Civil List and History of Gazetted Officers) of the members in the Executive branch of the Provincial Civil Service who have completed 55 years of age or 30 and 35 years of service or both and have not yet retired:—

(1) Those who have completed 55 years of age and 35 years of service	7
(2) Those who have completed 35 years' service ..	8
(3) Those who have completed 55 years of age and 30 years of service	20
(4) Those who have completed 55 years of age ..	22
(5) Those who have completed 30 years of service ..	37

The promotion of the juniors is badly blocked by this system and the stigma generally attributed to pensions, given by Government on retirement of Indians, by the illiterate people in rural areas to the effect, that no one can live long on Government pension *(Sarkar ka nimak muft men bahut din koi nahin kha sakta)* would also disappear. Officers continue to work on long after they become past work, with the result that they die too soon after retirement with no work to do. This is the real reason which is put in another satirical form by mischievous persons. Officers of the Indian Civil Service are compelled to retire after 35 years' service. They are not unoften of better constitution and the same rule at least should apply to the Indians with greater force, if the limit in their case is not put down

at 30 years. At all events, no extension, I think, should ever be allowed to the officers of the Indian service who have completed 35 years' service whatever may be their age, or who have completed 30 years' service and have also attained the age of 55 years. Officers at these stages are seldom fit for further active service, specially in the Executive branch where a lot of active outdoor work has to be performed.

46242. (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—Most of the officers who had not become subscribers to some Life Insurance Scheme before the General Provident Fund was introduced, are joining it I think. A few had joined the Postal Insurance Scheme also. I don't think the Indian members subscribe to any other officially recognized funds or that further facilities are required.

46243. (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—*Executive branch.*—With the reservations I have enumerated above, in reply to the different questions, I am satisfied with the existing organization of the Provincial Civil Service.

46244. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—*Both branches.*—The Deputy Collectors' Travelling Allowance Rules also compare very unfavourably with those of the other departments. They are not classed as first-class officers though—

Apprentice Engineers,
Assistant Engineers,
Assistant Collectors (Bombay),
Superintendents of Post Offices,
Assistant Superintendents of Jails (Bengal),
Assistant Superintendents of Police,
Deputy Inspectress of Schools,
Assistant Sessions Judges (U. P.),

and others are so classed.

But, what is worse, they don't get the travelling allowance which is warranted by their pay even—

(1) The ordinary rate of daily allowance is 1 per cent. of the pay, but a Deputy Collector getting even Rs. 500 a month is allowed only Rs. 3 a day,

(2) The ordinary daily allowance of an officer of the 1st class, *i.e.*, drawing over Rs. 500 a month, is Rs. 5; but a Deputy Collector getting even Rs. 800 a month gets only Rs. 4 a day,

(3) Assistant Opium Agents,
Superintendents of North India Salt Revenue,
Superintendents of Post Offices,
Assistant Superintendents of Jails (Bengal),
Assistant Superintendents of Police including probationers even,
Officers of the Provincial Educational Service, and
Superintendent, Government Gardens, Saharanpur,

get Rs. 4 a day irrespective of their pay, *i.e.*, even when it is less than that of Deputy Collectors who are allowed only Rs. 3 a day up to a pay of Rs. 500.

A daily allowance of Rs. 3 up to Rs. 300,
" " of Rs. 4 for Rs. 400 grade,

and full first-class travelling allowance and daily allowance in the Rs. 500 grade and upwards is strongly recommended. My services were once transferred to the Public Works Department in connection with land acquisition, work and a Public Works subordinate of the Overseer grade, who happened to be in charge of one of the several sub-divisions where I had to work, drew Rs. 4 a day and first-class travelling allowance whereas I, though much senior to him as regards service, pay, and position, had to be contented with second-class travelling allowance and a daily allowance of Rs. 3 only, though I had to travel in several sub-divisions and he was confined to one only.

MR. SHEO PRASAD called and examined.

46245. (*Chairman.*) You are a Deputy Collector?—Yes. At present I am doing the work of Junior Secretary to the Board of Revenue.

46246. You recognise the necessity of keeping the British character of the administration intact?—Yes.

46247. You are not prepared to try a scheme of simultaneous examination?—No.

46248. You would not like, if the experiment were unsuccessful, to have to modify it in any way hereafter?—No; that would be bad for India.

46249. You would be prepared to obtain an increase in the number of Indians in the Service through the medium of the London Examination by giving certain scholarships?—Yes.

46250. At what age would you select your scholars?—About 18 to 20, just after passing their Intermediate or their B.A. Examination.

46251. How long should they be in England prior to the examination?—From two to three years.

46252. How many of such scholarships would you be disposed to offer?—About 25.

46253. You think that the present age-limit is the best?—I think the present age-limit is quite satisfactory, and will satisfy both Indians and Englishmen.

46254. You lay stress on the importance of young recruits being unmarried when they come out to India at the commencement of their career?—Yes.

46255. Is not this rather an argument in favour of young Civilians coming out to India at an earlier age?—I do not know about Englishmen as I have no experience of European countries. But I know for my own countrymen that it would be ruinous if the age-limit were reduced. They would not be able to compete at

46256. You do not wish young Civilians to be married in the earlier years of their service?—My idea is that when they come out here in the early part of their life they must assimilate themselves to our country life: and they must mix with us and know what our prejudices and our customs are without being reserved, as they generally would be, if they had a wife with them.

46257. That, of course, is an important point; but I take it you would also consider the financial difficulties into which they are likely to get by having to keep up a much larger establishment?—Yes.

46258. So that at least as regards the European, you see a very distinct advantage in his coming out to India earlier than he does now?—Yes; he will have a distinct advantage in doing so.

46259. You are not in favour of appointing lawyers to be District and Sessions Judges?—No.

46260. You do not think that first-class practitioners would care to take such posts?—No.

46261. Can you tell us what sort of income the more successful men are earning at the Bar in the ordinary mufassal districts?—If a man earns about Rs. 1,000 he is considered to be a very lucky man: the average would be between Rs. 400 and Rs. 1,000, which would be, perhaps, the highest.

46262. Do you think a man who earns Rs. 1,000 a month would be likely to accept a post as District and Sessions Judge?—I do not suppose he would turn out better than our trained Subordinate Judges, if he did.

46263, I will now take you on to your Provincial Civil Service answers, and I should like to thank you on my own behalf, and on behalf of my colleagues, for the very explicit manner in which you have dealt with the whole question. You state in detail the doubts you feel about nomination as applied to the Provincial Civil Service?—Yes.

46264. And you indicate that bad results ensue from that system?—Yes.

46265. You say that the best system in your opinion would be combined nomination and examination?—Yes.

46266. What kind of nomination do you suggest?—My idea is that the nominations should not be made in the ordinary way. Applications should be invited, and a selection board should make selections from among the applicants. There would be so many applications that the board may select a certain number. Out of them they will reject those who are disqualified. Those who are not socially fit and not physically fit may be weeded out at once. After deciding upon those who are eligible, the result later on would be based upon the examination.

46267. You would have an educational qualification?—I do not want any man who is not a graduate to come into the Provincial Civil Service.

46268. He must be a graduate; that would be the test?—Yes the preliminary test.

46269. You would select from them prior to their going in for the examination?—Yes.

46270. What would be the selecting body?—The Lieutenant-Governor, or his Chief Secretary, and possibly one or two non-official members, and one or two men belonging to the Provincial Civil Service.

46271. You would have a non-official element upon the board?—Yes; and the Educational Department might also be represented.

46272. How would you suggest that the non-official element should be represented on the board?—The Government may select some non-official gentlemen of influence in the country.

46273. You do not desire to see non-residents appointed to the Provincial Civil Service?—No, I do not. I think residents of the province are better qualified and have better claims.

46274. You speak of the disproportion of the appointments in the Executive line?—Yes.

46275. Will you tell us a little more about your views upon that? Do you think that the prospects of the Executive compare favourably with those of the Judicial line?—No. First of all we are not paid as well as they are; we have not got so many listed posts as the Judicial Service has. As I have tried to show, we want an all-round better trained man for Executive Service work. If you want to keep him above temptation you must pay him well and you must see that he is treated as well as men of the other Service. In the Indian Civil Service at present the idea is, and I think it is a correct idea, that the Judicial Service is far worse than the Executive Service. The latter's promotions are easier, and they have better chances of promotion. Whereas, in the Provincial Civil Service, just the contrary is the case. We cannot have so many listed posts as they have. We do not get so much pay as they do. Our highest pay is Rs. 800 a month: their highest pay is Rs. 1,000 a month. You will find that they are better off in the different intergrading. They have 18 per cent. in the first three grades as against our 9 per cent. in the old days. But a revised scheme has now been published by the Government, and we now get 14·7 per cent. but, even now, we are worse off than they are. My idea is that the two Services should be put upon the same footing. I do not want differentiation in favour of the Judicial Service. I want both Services to be on the same footing.

46276. You do not think that the character of the work on the Judicial side justifies higher pay?—No; and for the reasons I have given in my written answers.

46277. You complain of overwork in the Executive branch?—Yes.

46278. Will you explain about that?—I suppose all the District Officers in the province would certify at once that a man has much more work than he can possibly do, if he tries to do his work conscientiously. We have to do judicial work as well as a lot of executive and miscellaneous work. We have to confine ourselves to judicial work first of all. We must do it and do it conscientiously. The result is that the other portion of the work has to suffer. When we go out to camp we find a rush of cases coming up and we have again to confine ourselves to case work. In that way the work does suffer. The authorities would be justified in considering that the Provincial Service man is not administering his sub-division as well as he should do. This is due only to the amount of the

heavy work which he has, and for which he does not get sufficient time. The Government has now given us 55 extra men, and it is quite possible that we may be relieved a great deal now and the complaint will be removed.

46279. You suggest that there should be a substantial addition even to that number?—I am afraid in a short time the Government will have to revise the cadre again. My experience shows that the work is growing very rapidly. I have shown that in 30 years the cadre has increased cent. per cent. and I am afraid it will have to be again increased to an enormous extent within a few years.

46280. Do you think that the duties can be better discharged by a larger number of officers doing the whole of the work you have described, or by certain officers being appointed to do a specific portion of that work, taking the criminal work by itself for example, and leaving the executive work to other officers?—The former, I think, if one man is confined to his sub-division, he would be better able to serve the Government and do justice to all. It is the miscellaneous work which troubles. For instance a sub-divisional officer has often to do the work of the district board secretary. I have to give at least two hours for that work alone. If the Government provided more men, it would be satisfactory, but it would not be satisfactory if the sub-divisions were to be split up into separate criminal and executive charges. If the Government were obliged to do it, my recommendation would be to further sub-divide the sub-division, but to give complete charge of each portion to one man.

46281. You say that promotion to the fourth grade is seldom given by selection. Can you tell us how many officers there are who have been passed over?—In the fifth grade there were six who were being passed over for a few years. Two have now been allowed to go into the fourth grade and four are still held back on the top.

46282. Selection has been in operation in that grade?—No. It is only men who have proved themselves by misconduct or bad work not to be entitled to promotion who have not got it. People do not ordinarily get any special promotion by selection for special work that they do.

46283. In your answer to question (21) you speak of the Provincial Civil Service and the stigma on the service. I should like to get from you what you consider to be the basis of the stigma to which you allude.—It is only a sentimental question. I personally do not mind what designation is applied to our service. At the same time it is a fact that the Provincial Civil Service people are looked down upon as very inferior to the members of the sister service, the Indian Civil Service. This is not simply because the men in that service are in the higher grades. Take for instance the Joint Magistrates' grade. They do exactly the same sort of work as we do; and even then, if there is a comparison between the Provincial Civil Service man with the lowest class of the Indian Civil Service, the former would be considered a very inferior sort of man as compared with the latter.

46284. But you do not regard the title of "Provincial Civil Service" as carrying with it any marked obloquy, or stigma, do you?—No: not at all.

46285. You also complain of lack of leave. Can you give us cases of any officers breaking down through overwork and lack of recreation?—If I may be allowed to give an example, I would quote my own case. I have suffered a deal. There is the present Junior Secretary to the Board of Revenue for whom I am officiating. He is perfectly broken down in his health because he is a very hardworking man, and has a lot to do. He could not get leave for some time, and it is only now that the Government has been able to send a man there to relieve him.

46286. Do you attribute this breakdown to excessive daily work, or to the absence of holiday and vacation?—I do not suppose the Government can arrange for vacation for the executive officers on account of the nature of the work they have to do. But there should be put every facility in the way of officers getting short leave as well as long leave. Short leave is not given to us when it is due on account of several reasons, chiefly on account of there being no *practical* leave reserve. There is a leave reserve in the cadre, but there is no one in practice to relieve us. The Commissioner cannot easily find a man to relieve me, and my district officer will have to give my work to my brother officers if short leave is allowed to me: so that he will have to say that he cannot spare me unless a substitute is given.

46287. If you have a leave reserve in the cadre, how is it that you have not got officers in the service available?—The leave reserve in the cadre is 14%. That is represented by persons who go on furlough and long leave or on deputation to other departments. What I complain of is the *short* leave, privilege leave, during which a substitute cannot easily be sent to officiate. What probationers there are are learning their work elsewhere and are incompetent to take charge of a sub-division, or they are employed as sub-divisional officers somewhere, and cannot be spared to come to relieve us. In order to relieve men in the districts, an extra man may be put into every district, but then other difficulties would turn up. Citing my own case again, I wanted leave during last two years, but I could not get it as I had to officiate in other departments. I wanted leave this year. Three of us wanted leave in the district; and Government said that we must take leave in turn, and an officer would be sent to relieve us. One of my brother officers wanted leave in connection with a marriage and had to go first. Another insisted that he should be the next man to go. I wanted leave to take a trip to Kashmir to recruit my health. My turn would come in July, but it would be useless for me to go to Kashmir in July. The result was that I had to give up my leave, and to wait till next hot weather. I propose that candidates selected for Deputy Collectorships from the subordinate service should be allowed to officiate for us. The Commissioner could then easily send a tahsildar temporarily to act for six weeks, so that one might go away and come back and resume his work in the same stature. There was such a practice in the old days, but it was stopped in 1903. They cannot appoint temporary Deputy Collectors now unless there is a shortage

in the 33 posts reserved for Junior Indian Civil Service officers. The result is that people cannot get leave, unless it can be easily arranged for by the district officer or the Commissioner.

46288. You would call in a tahsildar to officiate?—Yes.

46289. From the figures you give us I see that 22 officers have completed 55 years of age, and have not retired?—Yes 22.

46290. Is it a rule that extensions should be given beyond this age?—Yes, with certain reservations. At present there is no fixed principle by which Government is guided; Indian officers ordinarily do not care to retire. They want to stick on to the very end. My idea is that to be fair to everybody, it would be best to retire men when they reach 55 years of age and have completed 30 years of service.

46291. You would compulsorily retire them?—Yes.

46292. (*Sir Murray Hammick.*) As regards this question of the retirement of officers, under the article in the Civil Service Regulations, unless the head of a department is satisfied that an officer is unfit to go on having to do his duty, he really cannot retire him at 55?—No; not under the rules.

46293. He must be unable to do work properly before the officer at the head of the department can retire him?—Yes.

46294. When he comes to the age of 60 the onus is the other way?—Yes, that is the rule.

46295. You would desire to see the Civil Service Regulations altered?—Yes, on the ground that Indian officers at the age of 55 and with 30 years' service, are generally past work.

46296. How did you get into the Provincial Civil Service?—By selection and nomination.

46297. No examination?—No examination at all.

46298. You feel quite certain that any reduction in the age for the Civil Service at home would handicap Indians very much?—Yes.

46299. Some people have told us that it would not be so: that the boy who goes home at 18 or 19 would have really a better chance against the English boy of 19, than the Indian man of 22 would have against the Englishman of 22: you do not agree with that?—No, I cannot agree with that view.

46300. You are in favour of encouraging Provincial Civil Service men to go home on leave?—Yes. They have nominally transferred nine posts of Joint Magistrates to the Provincial Civil Service. In practice they have done nothing of the sort. They have only increased the number of posts in the Rs. 400 and Rs. 600 grades. During the last thirty years, the Government has had to increase the number of Deputy Collectors from 107 to 278 in the different grades including the above two. Telling us therefore that they have transferred nine Joint Magistrates' posts to us is perfectly meaningless. Where is the gain to us? I do not want that concession at the cost of the Indian Civil Service officer, but as an improvement in our own service. And then these Indian Joint Magistrates should be encouraged to go to England.

46301. Is it never the case that tahsildars are put in to act as Deputy Collectors when they go away on short leave?—In the old days up to 1903, that was the general rule, but since 1903 that rule has been set aside.

46302. You think it is against the rules?—Yes, it is against the rule to appoint officiating Deputy Collectors; and temporary Deputy Collectors can be appointed only when the number of Junior Civilians is short.

46303. In your answer to question (31) you suggest a way of improving the furlough by having five years' long leave. You say, "The three years' medical leave may be done away with, and five years' long leave admissible at present (three years' medical and two years' furlough) may be changed into five years' furlough which one can take at any time, the 18 months' limit under article 338, Civil Service Regulations, for taking furlough being also removed." Would it not be a serious loss to the service that a man could not take medical leave for more than 18 months? Is it not the case now that Deputy Collectors go on medical leave for two years and can come back?—Deputy Collectors generally do not go on medical leave for such period.

46304. Do they not often take medical leave for a longer period than 18 months?—No, not often.

46305. You do not think that would be felt as a loss, that they would have to restrict their leave to 18 months, and that if they did not return in 18 months, they would have to leave the service?—Under my scheme they will have furlough up to five years without any restrictions whatever; and my idea is that Government itself is favouring that view.

46306. In your answer to question (21), with regard to the title of the service, it was originally intended that all these Provincial Services should be called by the name of their particular province—the Madras Civil Service, the Bombay Civil Service, the Punjab Civil Service, and so forth. You place considerable importance on the change of the name as far as the popularity of the service goes?—Yes.

46307. You think it would have made the service more popular originally, if the name of "Provincial Service" had not been given to it?—Yes. Unless one can suggest a better name, the Secretary of State's suggestion should be adopted.

46308. Do you know whether the Indian police suffers in the same way with regard to furlough?—I have not considered their case.

46309. You have not heard them complain in the same way?—No, I did not.

46310. (*Mr. Chaubal.*) With regard to your comparison of the Judicial and Executive branches, and your recommending that the Executive branch should be brought in every respect on the same level with the Judicial branch, so far as the salaries go, there has always been recognized to be some difference between the two departments, has there not?—Yes.

46311. In the Indian Civil Service the salaries of the judicial heads compare more favourably with those of the revenue officers, do they not?—Yes. At the same time, the latter have more prize posts in the Indian Civil Service as compared with the former.

46312. We are speaking of the same class of officers, District Magistrates, Collectors, and District and Sessions Judges' posts. The District and Sessions Judge's post carries with it a larger salary than the post of Collector, does it not?—Yes.

46313. So far as the Provincial Civil Service goes you admit, I suppose, that the Subordinate Judge is, perhaps, more hard-worked than the Deputy Collector?—I emphatically deny that.

46314. But you understand the kind of work which the Subordinate Judge has to do?—I think our work is more worrying at times than theirs. We have to take more risks, and we have to do more difficult and hard work. They have only one sort of work to do, simply to weigh evidence and give judgments.

46315. Is not a variety of work more refreshing than monotonous work, and as far as variety of work goes, you have the advantage over the Subordinate Judge?—Yes, if we were not overworked.

46316. How many hours do you think a Subordinate Judge has to work at home in writing judgments?—I have no personal experience of judicial officers. I do not suppose they have more work to do out of office hours than we have.

46317. Out of office hours! How many hours do you think a Subordinate Judge has got to spend at home on the work of writing judgments purely?—I think he spends his mornings doing so, not the evenings too though, as we people do.

46318. But from eleven to five he has got to be in court?—Exactly, just like we people have to be.

46319. He enters service at a more advanced age than you do?—Not quite, because there are two doors to our service; direct recruitment and promotion.

46320. My idea is (if I am wrong I am open to correction) that the Executive branch is generally recruited at the age of 25?—Not always, because as I said, there are two doors open to the Executive branch: promotion and direct recruitment.

46321. Take direct recruitment: the general rule is 25?—Yes.

46322. And for the Judicial Service the rule is 30?—Yes.

46323. So that they enter into the Service five years later?—Yes as compared with the case of few direct recruits.

46324. And they have got to spend a larger amount upon their education than the Executive man has got to do?—No.

46325. For the Executive branch a man can get in equipped with a degree?—Yes.

46326. In the judicial line he cannot get in unless he has also done the technical work of legal study?—Yes.

46327. And that means additional expense, does it not?—Yes, to a certain extent.

46328. It may not be considerable, but there is an additional expense which a man preparing for the Judicial branch has to undergo?—Yes, but almost invariably because he was considered unfit for the Executive branch and was rejected. If you take up the Civil List and look up the Executive side of the Service, you will find that there are several LL.B's. amongst us; there are many others who have attended law lectures.

46329. Have you ever tried to see how the longevity of the two branches of the Service compares?—Men in our service have broken down, and men in the other service have broken down.

46330. One can always remember one or two cases of breakdown. Have you tried, generally to compare as to whether Executive officers, who retire on a pension, enjoy their pension longer, or whether the judicial officers enjoy their pension longer; and have you made a comparison as to the percentage of the Judicial men who come to grief while in the Service, compared with the Executive officers who come to grief while in the Service?—I could not say generally that one service suffers more than the other; both are as bad.

46331. You will not give up your point, I can see that. In laying stress upon the importance of recruitment by competitive examinations you lay stress upon the circumstance that that is necessary for ensuring purity in the Service?—Yes.

46332. In that respect you admit the superiority of the Judicial Service?—Yes, I do; just on account of the reasons I have pointed out; our "nominations" are often so bad.

46333. What is this figure "40" in the first (Rs. 800) grade, which you refer to in connection with the Judicial branch, in answer to question (26)?—I mean an annual increment of Rs. 40, rising, in five years, from Rs. 800 to Rs. 1,000. That is a printer's mistake, not giving hyphens between the figures.

46334. Is that so throughout?—No; only in the first grade.

46335. You are to this extent in favour of recruiting from the Vakils and Barristers, that you have no objection to Subordinate Judges in the higher grades being recruited direct from the Bar?—To a certain extent, if it is considered desirable to have direct recruitment.

46336. While you are against direct recruitment for District and Sessions Judges, you are not opposed to their being recruited from the higher grades of the Subordinate Judges?—I do not recommend that course; but if it is considered necessary, if the Commission decides that that should be done, my recommendation would be to bring them in as Subordinate Judges and then raise them up as Judges.

46337. Why do you draw that line?—To give them some experience of original work before taking up appeal work.

46338. Do you not think that a person who has practised for 15 years at the Bar has sufficient experience to dispose of and decide cases, as a person who is taken on at once?—Comparisons are odious.

46339. I am asking you to compare Subordinate Judges' work. You think that pleaders and legal practitioners will be able to do Subordinate Judges' work at once?—Yes; they must commence work there if they have to be taken.

46340. If you think that legal practitioners may be employed safely to do the work of Subordinate Judges, what would be the objection against employing the same practitioners of a

more advanced standing as District and Sessions Judges?—Because a man of more advanced standing would not be coming into our Service as a Judge, if he were advanced enough; moreover if he would, he would lack experience both Judicial and administrative.

46341. (*Mr. Madge.*) You do not wish to revive the Statutory Service, although you admit that the system itself is not radically wrong, but so unfortunate in its selections?—No.

46342. Do you not think that the methods of selection might be improved, so as to get in a class of Indian gentlemen who are not attracted otherwise?—I do not see why this should not be worked through by the "listed post" system. It is much better.

46343. Probably it is in some respects; but, as a matter of fact, there are a great many who are not attracted to the public service, whom it might be an advantage to get?—I do not think so. Those who do not get in, apparently, are not fit for it; when they did get in such persons had to be turned out. They proved failures.

46344. I am not speaking of failures of the statutory system, but the class of Indians of character who have not been attracted to the service. Can you think of a new method of attracting them to the service?—When there is an exceptional case, Government can appoint any and every man to every appointment without having a particular class of service for it.

46345. You object to the power of Government being exercised to the extent of appointing men over the heads of others?—Yes.

46346. How else can you secure sufficiently high up a class of young men whom you desire to get in without going over the heads of others?—By way of illustration; a man went to England and passed as a Barrister. He took some other educational degrees there and came out here. The Government appointed him at once to the Rs. 300 grade. We will not grudge it. If there is a tahsildar, who was my junior, and if Government favours him and brings him and puts him over my head, I would resent it. That is what I mean. If there is any special ability in any special individual, Government can appoint him direct and we will not object; but if they bring in our juniors simply because they happen to be favourites, we are bound to resent it. That is what I want to stop.

46347. The question being one of merit, who is to be the judge of merit: you say the juniors in the Provincial Civil Service?—If a man is my junior in my own service (Provincial) and not in the Subordinate Service and is superior in talent, let him go above me. I would not object at all. I object to the men from the Subordinate and other services coming over us.

46348. With regard to the Executive and Judicial, the executive officers have experience in trying criminal cases?—Yes.

46349. And many of the judicial officers have no experience in criminal cases?—That is so.

46350. In that case they are on a par. One wants judicial experience of one kind, and the other judicial experience of another kind?—The executive officer is at a certain advantage.

46351. I do not see how the judicial officer is superior to the executive officer?—The Judicial officer does only judicial work on the civil side. The Executive officer does criminal work as well as a lot of civil work. We have a lot of revenue work to do according to the Civil Procedure Code, and there are lengthy civil cases under the Rent and Revenue Acts which come before us.

46352. Although your argument is used with reference to the Provincial Civil Service, would it not apply to the Indian Civil Service for the promotion of Executive officers to the Bench?—It would.

46353. Why do you object to the title "Provincial Civil Service"?—Personally I do not care much about the title of the Provincial Service. The general idea is that it is an inferior sort of thing. I should like to see something devised to improve matters. I would recommend the adoption of the Secretary of State's orders that we should be called the "United Provinces Civil Service." I think the service should be called according to the name of the province.

46354. (*Mr. Fisher.*) I gather you hold that it is a principle of administrative efficiency that recruitment by promotion should take place at the earliest stage possible?—Yes.

46355. And your reason for holding that view is that you think men who spend a great deal of time in a lower service are apt to catch the tone of that service, and that the tone of that service is likely to be somewhat lowering to their standard?—Yes.

46356. For that reason you would cut off all recruitment from the ministerial service?—Yes.

46357. And you would abridge recruitment from the subordinate service?—I am sorry I was not very explicit upon that question. If all my recommendations about recruitment were applied to the tahsildars' service as well, which by the way is not before the Commission now, I would have no objection to taking men from that service freely; but the way in which that subordinate service is recruited is much worse than the Provincial Service. From that service in the present state of things I do not want men to come into our service.

46358. You say, in answer to question (6) "one-third may be recruited by promotion from among selected tahsildars, who are, if possible, graduates, and who were appointed as naib tahsildars?"—Those are two qualifications which I put in with the third qualification at the end. A man must not only be a naib-tahsildar by direct recruitment: he must be a graduate too. He will enter the Service as a naib-tahsildar. I want that he should be taken up to the tahsildar service in a couple of years. After being a tahsildar for two years, let him be taken up, if he is fit for it, into the Provincial Service.

46359. At what age do you think he should be taken up into the Provincial Civil Service?—If he is a naib-tahsildar at 21; after 25 he should be a Deputy Collector.

46360. At what age would you suggest that your Deputy Collector should enter the separate cadre of Indian Joint Magistrates?—My idea is that the Joint Magistrates should be recruited to two grades. Originally Government decided that

four posts of Joint Magistrates, 1st grade, should be transferred to the Provincial Civil Service, and five posts of Joint Magistrate, 2nd grade, should be so transferred. The pay of 1st grade Joint Magistrate is Rs. 1,000, and the pay of 2nd grade Joint Magistrate is Rs. 700. Taking the two-thirds proportion in round figures, the amount for the Provincial Civil Service would be Rs. 650 and Rs. 450. My idea is that men from the service may be recruited to both. Those who are serving in Rs. 400 grade and under may go to the Rs. 450 grade, and those who are in the Rs. 500 grade can go to the Rs. 650 grade. The service of the men who will be selected at the beginning that is before they have gone up over Rs. 400, would not be more than 8 or 10 years.

46361. You say that if certain of your proposals are carried out the members of the Provincial Civil Service would be better able to go to Europe to qualify themselves for listed posts: do many members of the Provincial Civil Service go to Europe under present conditions?—No, not one goes now unless he has been to England before. If Government accepts my view and Indians are appointed as Joint Magistrates, we hope that they will get charge of important subdivisions, and that they will come to the Collectors' grade in time. My idea is that people under these conditions would be very willing to go to England and have two years' sojourn there. If they are young enough they can take up post-graduate studies, and attend law classes; when they come back here, they will know what the world is like outside India, and they would be better fitted for superior listed posts and would be treated better socially by Indian Civil Service people. That would be a great advantage.

46362. You think there is a desire on the part of the Provincial Civil Service men to go to Europe?—Yes, if there is a chance of their getting the Collectors' posts: not merely for pleasure's sake.

46363. (*Mr. Macdonald.*) In answer to question (6) you say, "In the case of promotion from subordinate service it continues to be as bad now as it was in the old days, while in the direct recruitment the Government does not get the best material available in the country." With reference to the last statement, what is it which stands between the best material going into the Provincial Civil Service now?—That system of "nomination." As I explained in answer to the Chairman, we have nomination pure and simple and not much of selection. It is much a question of nomination only. A man approaches an officer and says that his father was a Deputy Collector; that he has read up to the B. A. class, or has passed some examination and that his father did some good work; and he is recommended. My idea of selection is that applications should be invited freely and if there are 20 persons coming forward as candidates for Deputy Collectorships, the claims of all should be considered and not only of those who were nominated by officers and then the best men should be selected for examination.

46364. The information I want to get is this. Supposing the Provincial Service was thrown quite open, would it, with its present attractions and its present pay and promotions, get a much better class of men than are secured by nominations?—I think it would. At present I do not suppose the idiosyncrasy of individual officers would be so much improved as to give us the right sort of man in all cases.

46365. You think that there should be nomination for the Provincial Service coupled with selection by Government officers?—There are exceptions. If you bring in one bad man by nomination out of twenty that too vitiates the tone of the Service.

46366. You still stick to the general statement which you have made that in the direct recruitment the Government does not get the best material available in the country?—That is my idea if the recruitment is based on nominations and not nomination combined with selection and examination.

46367. In answer to question (16) you refer to secret reports?—I mean confidential reports.

46368. I want to know whether these reports are secret. Supposing you get an adverse report sent in, do you know that the report has gone in?—Unless the result has come out I cannot know.

46369. Are there no Government rules here instructing a superior officer who reports adversely upon an inferior?—If he is reported on officially, he has to be called upon for an explanation before he is punished.

46370. If there is no punishment?—If he is reported on confidentially, he has no means of knowing anything about it if he is not punished.

46371. The report may say, this officer is good, or this officer is slack. Supposing the report says "this officer is slack," would you know that?—In the old days we would, but now we do not know.

46372. You do not know what the confidential reports about you which are in the hands of the Government may be?—No. My experience is that people are not generally reported upon confidentially against their interests. But if a man is really bad, and if he has been confidentially reported on, or officially reported on, as bad—if there are half a dozen district officers who say that the man is really bad, why promote him along with others? That is the grievance of the service.

46373. (*Mr. Sly.*) At present in the Provincial Civil Service the total amount of leave admissible on medical certificate is three years, I believe?—Yes.

46374. Out of that, leave for eighteen months is admissible on half salary?—Yes.

40375. And eighteen months on quarter salary?—Yes, unless it is taken in two or three instalments. The actual average does not generally exceed eighteen months. At one time fifteen months on half pay is allowed but up to an aggregate of 30 months in all.

46376. With regard to furlough the amount admissible is two years on half salary?—Yes.

46377. Altogether there is a total of five years' leave, is there not?—Yes.

46378. Your proposal is to convert the whole of it into five years' furlough?—Yes.

46379. Would the furlough allowance be half the average salary?—Yes, if it is taken in instalments and is due.

46380. The pecuniary difference would be that instead of having eighteen months' medical leave at one quarter salary, you would have eighteen months' leave at half the average salary? —Not quite, because if I take furlough when I am not entitled to it I should get only a quarter of my average salary. If I took furlough which is not more than what is due to me I should get half pay.

46381. Two years throughout your service is the present rule?—I should get half pay for two years' furlough and also for 30 months' medical leave or for 4½ years in all.

46382. To what extent does your proposal involve additional expenditure?—We get two years' furlough now, and we get three years on medical certificate. Leave on medical certificate is not taken unless a man is really ill. The result is that leave on medical certificate would not often amount to more than fifteen months at a time on the average if the figures were worked out. Even if there is extra expense to the State, the amount and the nature of the work which an executive officer has to do entitled him to that little consideration.

46383. In addition to that I understand you wish to abolish the present limit of eighteen months' service between return from privilege leave exceeding six weeks and the next furlough? —It is conceded that leave would be granted subject to the limit of leave reserve, and provided the exigencies of public service allowed it. In that case there is no harm.

46384. You do not consider that there is any harm in allowing an officer to come back from leave, and then to go on leave again at once?—Indian officers, I do not suppose, would go out of India. They do not ordinarily want long leave. Unless there is something very special an Indian officer would never ask for it.

46385. The present rules provide for the distinction between the amount of leave qualifying as service if spent in India, and if spent out of India. You wish to abolish that distinction, I believe?—If I take more than one year, and have not completed 25 years' service, when my pension time comes the excess will be deducted in calculating my active service.

46386. But that distinction between the service in India and out of India you wish to abolish?—Not to abolish. In 25 years' service a man is allowed to count only one year and in 30 years he is allowed to count two years as qualifying, if the furlough is spent in India. My proposal is that the present rule about leave out of India may stand as it is so that people may have an inducement to go to England. But as regards leave spent in India the concession may be allowed to us so that we may be able to count two years' furlough, instead of one year's, in 25 years' service. A man may also be allowed to retire after 25 years' active service.

46387. Altogether, you wish to have five years' furlough?—Yes. If spent out of India the whole otherwise only two years should qualify for pension.

46388. With regard to pensions, the present pension of the service is subject to a maximum of Rs. 5,000?—Yes.

46389. Your proposal is to introduce a pension of Rs. 6,000 after 25 years' service?—Not for the Provincial Civil Service. For the Provincial Civil Service I am contented with what I get, because I know we shall not get more than Rs. 1,000 as pay.

46390. Your recommendation relates to officers holding listed posts?—Yes. I know there is a question about the annuity, which civil servants have to pay. I do not base the proposal on that service alone. I say their expenses rise up a good deal. The Deputy Collector appointed as a District Officer at once, has to maintain his position and live in the same status as a European does, which entails a great deal of expenditure. When he retires he cannot very well go back to his old status again. He has to maintain his late position. If it comes to a question of annuity he may as well be asked to pay it.

46391. Are these special pensions to be given irrespective of the time a man has held the listed post?—No, not quite. That time must be taken into consideration. If a man happens to serve only one year in a listed post he should have no great claim.

46392. You have not stated any qualification or given the length of service?—No, I confined myself to the broad question.

46393. With regard to travelling allowances, your proposal is that all Deputy Collectors should be classed as officers of the first class?—Not all. Up to Rs. 300 they should get Rs. 3 a day with 4 annas a mile as allowance. In the Rs. 400 grade they should get Rs. 4 a day, 1 per cent. as the rules generally allow. After Rs. 400 I say remove all the distinctions which have been disabling this service for no good reason.

46394. Although a man is a Deputy Collector, if he is in the lower grades, still you would let him have the lower travelling allowance?—Up to Rs. 400.

46395. Do you recommend that special concessions in the matter of travelling expenses should be made on transfer?—If you raise us to the grade of first-class officers as you have in the case of so many officers of equal and even lower status enumerated by me, we will not require any more concessions.

46396. Are not the expenses of transfer very heavy?—Very. If the Government gives us both, so much the better. We want however to fight hard for one, at any rate, in which we find we are badly treated as compared with the others.

46397. With regard to the change which was made in connection with the relief of officers who go on leave, was it not the case before 1903 that there was no leave reserve in the service?—Yes.

46398. Consequently Government had the right to appoint an officer for every vacancy in the grade?—Yes.

46399. When the service was re-organized in 1903 a specific leave reserve was added?—Yes.

46400. What is your proposal? Do you wish to abandon the present arrangement, and go back to the position of 1903?—I think I do, to a certain extent, because the leave reserve which has been added to the cadre by the Government

does not fully serve the purpose at all. The Government will have to increase the cadre as every moment the work is increasing and the numbers will have to be increased. For short leave the leave reserve does not help us, but for long leave it may.

46401. If the leave reserve is properly calculated with regard to the number of officers going on leave, there should be no difficulty? How can it be arranged?—It cannot thus be arranged for short leave for six weeks or so. You would have to keep a man on reserve duty in each division like relieving railway station masters and send him off to relieve anybody who wants leave. This will not be practicable in the case of Deputy Collectors, I think.

46402. For short periods of leave the principle is that work should be carried on in the district itself?—Yes, provided the staff is sufficient to take it up. When I go on leave my District Officer distributes the work amongst the others who are in the district. Being overworked they postpone cases every day, and the result is that when I come back I get my old file, and I have to take up my new cases as well. The work suffers though extra strain is put upon the relieving officer also who has to see that about 30 of my cases have to be daily postponed. Parties have to be heard even in arranging adjournments.

46403. Your complaint is that the staff in the district is not sufficiently strong to provide for short leave vacancies?—Most certainly.

46404. *(Mr. Abdur Rahim.)* I think you have said that you have multifarious duties to perform. Is there any order in which the day's work is done? How do you begin your day's work?—I go at half past ten, and sign the orders in vernacular that were passed the previous evening, the ordinary routine papers, summonses, and other things, which you will be surprised to hear takes at least half an hour: it may take more. After that there are the revenue cases and miscellaneous reports which have come from the tahsil. That takes at least one hour. If I have extra work, *e.g.* the District Board, I do that. This does not include work in English. I write notes for the Chairman on English files and otherwise dispose of them at my house. It is the ordinary vernacular work, that has to be done in the office, and that takes another half an hour. Then I take up my criminal work and Rent Court work in that order and the other miscellaneous work last of all.

46405. Are you able to finish the calendar of the day?—Ordinarily yes.

46406. By what time do you finish it?—Not often much before 5 o'clock. I have not got a very long service yet; but though it was my pride always to finish my work before three o'clock, I cannot finish it now by half-past four.

46407. Have you any miscellaneous work to attend to when you are trying cases?—When I try cases there are my strict orders that there should be no disturbance, not even for signatures.

46408. You work ordinarily to five o'clock?—Yes. And that does not finish my work. There is miscellaneous work left for night, and taking up judgments in the morning or the writing of the judgments at night and taking up of miscellaneous work in the morning. If you happen to be a sub-divisional officer at head quarters and you have to do some outdoor work you have to do all that before your breakfast.

46409. Are the Joint Magistrate's duties of the same nature?—Yes, exactly, without any difference except as regards some of the extra miscellaneous work the Deputy Collectors are given.

46410. Did you take a degree in law?—No. but I attended law lectures for the High Court examination.

46411. Your knowledge of pleaders is second-hand is it not?—No, the leading pleaders of the station always come and practise in my court.

46412. In criminal cases?—Yes, and also in Revenue cases, and Rent cases. When we have to trace out permanent tenure-holders and occupancy rights up to permanent settlement and 1856 pleaders do come up.

46413. Are these people who come in connection with these cases a competent body of men?—Yes, as a class on the average.

46414. Do you consider them quite competent men?—As far as their work is concerned, I find them competent enough. As I have said at the beginning, I have not to deal with many civil law cases. There are cases involving Hindu and Muhammadan law that turn up in partition, mutation and Rent cases.

46415. Have you any opportunity of judging the legal work of the pleaders?—Beyond their bringing up evidence in the monetary suits and other cases, and beyond their bringing up rulings upon contested points and in criminal cases, I do not suppose I see very much of them.

46416. Do you feel that you are in a position to speak as to the necessary equipment of a Judge?—I have said that the Judges should be divided into two classes: one for civil cases only and the other for criminal cases only.

46417. Are you in a position to speak as to their necessary equipment?—Not for the civil work.

46418. The Judge's criminal work is only one portion of it. There is very little revenue work, is there?—The revenue work is comparatively small.

46419. But as regards the civil work, I take it that you have no experience of it?—No, not much.

46420. So that you have not been in a position to know what are the requirements of the Judge?—So far as judicial work is concerned, it is recording and weighing evidence and the application of different laws to different cases. I suppose we too know something of judicial work.

46421. Are you in a position to express an opinion as to how the District Judge's work is done?—I cannot be a competent judge of a District Judge's work; but of course I know a good deal about it.

46422. *(Lord Ronaldshay.)* How many years have you been in the Service?—I have 23 years' service now.

46423. Were you selected immediately after you took your degree?—No. I took nine years to come into the Provincial Civil Service; but that is a long story to tell. I was intended for the Executive Service. When

I was recruited, the first District Officer who took me gave me an official assurance that I was to go up as Tahsildar. By the rules in the Service nomination used to go first by districts and then by divisions. My division, Fyzabad, was put down to the last. I could not get a chance for several years and was appointed as Assistant to the Commissioner of Benares, and then as Tahsildar before I entered the Provincial Service.

46424. Between the time you took your degree, and the time you were appointed to the Provincial Civil Service, what did you do?—I attended law lectures for the law examination. The District Officer of the district to which I belonged (he knew my father and he knew me as a boy) sent for me and said,—" It is no use your becoming a vakil. You had better come up, and I will make you a Tahsildar, and you can follow your father's line."

46425. You were in the Subordinate Service before you were in the Provincial Civil Service? —Yes.

46426. (*Mr. Fasih-ud-din.*) You have said that the Deputy Collector is overworked, and has to do a great deal of miscellaneous and executive work?—Yes.

46427. You have also said, I believe, that he puts his judicial work first in the matter of importance, and that he does not so much attend to his executive work as he does to his judicial work. Is that your opinion?—Yes. He gives preference to judicial work over executive work unless urgent.

46428. Am I to understand from this that it is because there is a more direct check upon his judicial work than there is upon his executive work, and that is why he considers it of so much importance?—The judicial work you cannot, in the interests of the public, postpone a great deal. When there are men in the lock-up you cannot keep them indefinitely there. You must attend to their cases. We have to give precedence to them.

46429. What is your view as to the appointment of Munsifs and Sub-Judges as Assistant and Sessions Judges, without any experience, over the heads of the Deputies?—You, and all the Service, know that it is a real grievance with us. You know that they never try any third-class cases even, and they take up sessions work. Our view is that we should have a legal training if we do not hold law degrees; and even without holding law degrees, one may be a good Judge. It has been said over and over again in the evidence, as well as outside, that the judicial training of a Munsif is a very superior sort of thing as compared with that of Deputy Collectors. It may be though I doubt it. But when it comes to trying criminal cases, the most important thing, I think, after you have decided that you shall convict and not acquit a man, is the apportionment of the sentence to the seriousness of the offence. Where does the munsif get that experience from.

46430. Have you come across conspicuous instances of their bad decisions in criminal appeals and sessions cases?—I can think of two cases, at any rate, where the High Court had to upset the decisions on the score of bad disproportionate sentences.

46431. What do you think about the pension rules and the limit of 30 years' Service? What is the opinion of the service about retirement after 30 years' service, and not after 25 years' service?—I think it is agreed everywhere in all the Services that they want retirement after 25 years, and that with the amount of work they have to go through now, it is only just that they should be allowed to retire after 25 years' service.

46432. What is the opinion about members of the Service not getting temporary promotions in connection with leave arrangements?—Men in the Service consider themselves very unfortunate in many respects, and in this respect they consider themselves to be the worst off among all the Government servants.

46433. You think their feelings are very keen about it?—Very keen.

46434. I believe you know that some time ago there was an arrangement of putting in Deputy Collectors as officiating Collectors?—Yes.

46435. For instance, in the time of Sir James La Touche. That system has been since abolished?—Yes to a certain extent.

46436. What is your opinion?—They have a rule about the seniority as between Civilians and the Provincial Civil Service officers for such appointments. They have decided that the seniority between the two should be governed by the amount of pay. The Deputy Collectors in the higher grades of Rs. 500, Rs. 600, Rs. 700, and Rs. 800, are very few, and they cannot be present in all the districts. The result is that the much junior civilian, if he is considered fit as regards promotion, will get the officiating chance; and if the junior civilian is considered not fit for holding charge of the district, being too junior in service though technically senior to the actually senior Deputy Collectors, present on the spot, another man will have to come from outside. I think that will be the only means of solution.

46437. That is what is actually done at present; another officer is imported from another district?—That is the only solution possible. There seems to be no other solution possible.

46438. Do you think that the general opinion amongst all the members of the Provincial Civil Service is that the prospects and pay of the Service should be increased, and that the number of listed appointments should be increased instead of engrafting another service between the Provincial Civil Service and the Indian Civil Service, and widening the gulf between the Indian Civil Service and the Provincial Civil Service; do you agree that that is the feeling of many of us? —The general feeling is that we are kept back, and that we do not get to the goal at which we aim.

46439. For that reason you would not like to have another service thrust in between the Indian Civil Service and the Provincial Civil Service?—My recommendation is that a Joint Magistrate's grade should be created between the two.

46440. I mean another kind of service other than the Indian Civil Service, between the Provincial Civil Service and the Indian Civil Service —for instance, the Statutory Service?—No we do not want to court another failure by poor selection.

(The witness withdrew.)

PANDIT MOTI LAL NEHRU, Advocate, High Court, North-Western Provinces; President, United Provinces Congress Committee.

Written answers relating to the Indian Civil Service.

46441. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Subject to what I have to say later on, I accept the present system of recruitment by open competitive examination in England for the Indian Civil Service as generally satisfactory in principle.

46442. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The principal defect of the present system is that it has failed to secure to Indians their proper share in the administration of their own country. The alterations I would suggest, will appear from my answer to question (6). There are also certain other matters in which the present system is capable of improvement. These will be noted in answer to the questions relating to those matters.

46443. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—With the alterations I have to suggest later on the system is equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty.

46444. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.—I would continue the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service except in regard to certain subjects which in my opinion should be made compulsory for candidates for the latter. The combination in other respects will be to the advantage of Indian interests as it will keep the tone and standard of the examination for the Indian Civil Service on a par with that of the other Civil Services of the Empire. Further it will be more desirable to keep as large a proportion of the British public interested in these examinations as possible and this I apprehend will not be the case if separate examinations are held.

46445. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.—In my opinion no system of recruitment to the public services is less open to objection than that of competitive examination and I strongly oppose any other alternative.

46446. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—The almost universal desire of the educated community for simultaneous examinations in India and England is in the circumstances very natural. Indeed the strict justice of the case requires that the examination for the Indian Civil Service should be held only in India. But there are practical difficulties in the way and these cannot, in my opinion, be surmounted by merely holding the examination in both countries. A time may come, and I hope and trust it is not far distant, when the Indian Universities will turn out men in no respect inferior to the best products of Oxford and Cambridge, but it is not yet. This is conceded by the advocates of simultaneous examinations, every one of whom insists on an European training of the candidate after he is selected in India. As to this I have only to say that I do not believe in a person qualifying himself for a post after he has got it.

The fact, however, remains that the present system has practically shut out Indians from the Service and that there are and have been many deserving Indians who, if they had the same facilities as their fellow subjects have in England, would not only have found easy admission into the Service but succeeded in living up to its best traditions. It is obviously the duty of the Government to afford such men the facilities they require and the question is how can this be best done without in any way lowering the efficiency of the Service?

Substantial reform in this direction is so urgently required that though the proposed system of simultaneous examinations does not appeal to me in its entirety yet I would readily support it if no other scheme to meet the necessity of the case could be devised.

In my opinion the fairest way of meeting the legitimate aspirations of Indians without prejudice to any other class of His Majesty's subjects is to put them on a footing of equality with British candidates *before*, and not *after*, the competitive test is applied. In order to do this I would suggest the holding of a preliminary competitive examination in India open to all natural-born subjects of His Majesty. The syllabus for this examination will be similar to that of the Indian Civil Service examination but a lower standard of knowledge than is necessary for the latter will be required. I would fix the age-limits for this examination between 17 and 19 and would award a scholarship of £200 a year to each of the first 25 or 30 successful candidates on the list tenable for three years at an English University. The advantages of holding such an examination are—

(i) That it will be open to all natural-born subjects of His Majesty without any restriction, and thus effectually close the door against all complaint.

(ii) That it will be the fairest way of selecting the maximum number of the very pick of the Indian youths, year by year, who can hope to have a reasonable chance of success at the open competitive examination in England.

(iii) That selected candidates will proceed to England at the proper age to acquire those characteristics which are essentially British and the maintenance of which I consider absolutely necessary in the interest of good government in India.

(iv) That while after such selection the Indian candidates will be better able to fight their own battles with British candidates on equal terms, the latter will not in any way be handicapped.

I would prefer selection for scholarships by special examination to selection by Universities for three reasons, *viz.* :—

1. A special examination, more particularly the *vivâ voce* part of it, will better bring out the real worth of the candidate and his aptitude for the work before him than an University degree.

2. The minimum age at which one can take his degree at an Indian University being 20 years, some very desirable young men may by accident exceed that age before taking their degree and others equally desirable may be kept back by reason of being below 20.

3. Any latitude allowed to Universities in the matter of selection is bound to be resented, if for instance they pass over the top man of the year for some special reason.

The proportion of the cases I have referred to will, however, not be large and if for any reason a special examination is not considered desirable or practicable I would as an alternative accept selection of candidates for scholarships by the Syndicates of the various Universities in India.

A very great advantage of the plan proposed will be that not only would the Indian Civil Service thus obtain the very pick of the best brain and culture turned out each year in India, practically irrespective of the difficulty resulting from the traditional poverty of the classes, which furnish the best educated and most intelligent men, but even the probably small proportion of failures would not suffer in regard to their future career. The latter will at least be in possession of a degree from an English University and will not be worse off than they would be if they preferred to stay at home.

As regards the financial aspect of my proposal the cost would not be excessive. I have suggested the number of scholarships to be given away every year to vary between 25 and 30. Taking the latter figure the total number of scholarships awarded will after two years entail a recurring expenditure of £18,000 *per annum* which will be distributed over the whole of India. Having regard to the great importance of the matter and the fact that what is justly felt as a real grievance throughout the country would be effectually remedied, I do not think an additional expenditure of say £20,000 a year will be an excessive or unjustifiable burden on the public revenue.

It will be seen that my proposal only involves an extension of the present rule under which the Government grants a limited number of scholarships every year to distinguished graduates for the purpose of proceeding to Europe to complete their studies.

Should my scheme fail to commend itself to the Commission I would, as I have already said, support simultaneous examinations in India and England as the only possible alternative which will secure to Indians their just rights. My principal objection to these examinations is that Indians recruited in India without having *previously* undergone an European training would inevitably be regarded as inferior in status and qualifications to those recruited in England and this seems to me in the highest degree undesirable. The objection however can be minimized, if not altogether removed, by reducing the age-limit for the competitive examination and enlarging the period of probation in England. It is my firm conviction, based on actual experience of the training of boys both in India and England, that the age at which "British characteristics" can be so acquired by an Indian as to come to him naturally is between 16 and 22. At 24 or 25 an Indian who has lived entirely under Indian influences is so deeply saturated with "Indian characteristics" that there is no room for any other. By saying this I must not be taken to over-rate the characteristics of the one people and under-rate those of the other. I think the best of both is essential to a member of the Indian Civil Service, English or Indian, and if I lay stress here on British characteristics it is because I am dealing with the case of Indians. Besides, it must, in my opinion, be accepted as axiomatic that the British Administration in India must continue to have a pronounced British tone and character and too much stress cannot be laid on Indians acquiring that character as a habit, while they are capable of doing so. In order therefore to make simultaneous examinations acceptable I would reduce the age for the competitive examination from 22—24 to 19—21 and enlarge the period of probation in England for Indians from one to three years' which must be passed at one of the older Universities. In my opinion at least three years' training and experience in Europe is absolutely indispensable. This in effect is the scheme propounded by Mr. J. N. Gupta (Bengal) in his evidence before the Commission with this variation, that I would have no fixed percentage of Indians, who must take their chance with others having regard to their position in the single list. I would on no account allow the Indian members of the Service to bear the stamp of inferiority which must necessarily be the case if a fixed number of Indians is admitted every year without reference to their position on the general list. Similarly, I would put no limit on the number of Indians entering the Service. Theoretically, there is no difference between two men who have come in by the same door and presumably possess the same qualifications. Practically, there is no danger of Indians swamping the Service to the exclusion of Europeans, who are, and will always be, quite capable of holding their own in fair competition.

46447. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme what proportion do you recommend?—I am strongly opposed to any scheme of separate examinations for "Natives of India." In order to maintain the same level of efficiency in the Service it is essential that there should be one and the same method of recruitment for all who seek entrance to it.

46448. (8) If you do not approve of simultaneous or separate examinations in India are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method than competitive examination, for reasons already given.

The representation of classes and communities is in my humble judgment a fetish which is mainly responsible for much of the unrest and discontent which has prevailed in the country in the past. It finds no place in either the Statute of 1833 or the gracious Proclamation of 1858, rightly looked upon by the people as the foundation of their rights and liberties. Had every class and community been told to expect nothing but strict justice on equal terms with other classes and communities the mutual recriminations of recent years would have been avoided and the time and energy spent in vilifying each other would have been utilized in ameliorating the social, moral, and economic condition of the country. Whatever may be said of communal representation in the Municipal and Legislative Councils of the Empire, or even in the filling up of posts in the subordinate services, the introduction of the rule in the recruitment of the highest Judicial and Executive Service of the land is thoroughly indefensible. Merit alone should be the guiding principle of admission to this Service as merit alone can secure the administration of that even-handed justice which is the strongest bulwark of the British Empire in India.

I am, therefore, strongly opposed to any scheme which seeks to introduce the principle of communal representation in the recruitment of the Indian Civil Service.

46449. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I am not in favour of any system of "part recruitment" of the Indian Civil Service by "Natives of India" in India or elsewhere on any footing different to that on which other natural-born subjects of His Majesty are to be recruited. I have recommended simultaneous examination subject to the conditions stated above as an alternative in case my own scheme is not accepted, but in either case I would have only one list to select from and that in the order of merit. If there are Indians, and I hope there will be many, who go to England to prosecute their studies and choose to appear for the competitive examination held there, I see no reason why they should be told to go back to India and appear at the Preliminary Examination suggested by me or the simultaneous examination proposed to be held in India. There being no limit for Europeans there should be none for Indians.

46450. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—In so far as the Judicial line is concerned I would continue the "listed posts" which are now merged in the Provincial Service as heretofore, and abolish the rest in view of what I have to say in answer to question (18).

I recommend no change in the existing arrangement in regard to the Executive line.

46451. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Members of the Indian Civil Service should, in my opinion, be required to elect for the Judicial branch within the first three years of their appointment. On such election they should be given jurisdiction to try civil suits usually heard by Munsifs and also criminal cases as Magistrates. No executive or police functions of any kind should thereafter be entrusted to them. When they rise to be Assistant Judges they should have the same jurisdiction on the civil side as a Subordinate Judge.

46452. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.—I am satisfied with the present statutory definition of the term "Natives of India" but am not satisfied with the term itself. If "Natives of India" are henceforth called "Indians" it will be a graceful concession to Indian public opinion and *will not* affect the definition.

46453. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.—I would adhere to the present age-limits if the scheme I have proposed in answer to question (6) is accepted, but would recommend reduction to 19—21 if simultaneous examinations are allowed to be held in India and England. In case of no change in the existing system I would keep the age-limits as they are. My reasons for this opinion will appear from my answer to question (6).

46454. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—I think 26 is the most suitable age at which junior Civilians recruited in England should commence their official duties in India

46455. (15) What age-limits for the open competitive examination in England would best

suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—I think 22—24 are the most suitable age-limits for the open competitive examination in England both for "Natives of India" and other natural-born subjects of His Majesty and I would make no differentiation in this respect.

46456. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I would add Indian History and Hindu and Muhammadan Law, assigning 500 marks to each, to the authorized syllabus and make them compulsory in the competitive examination for all candidates who offer themselves for the Indian Civil Service. In my opinion it is essential for all members of the Indian Civil Service to have a thorough knowledge of Indian History. I would assign the same marks to Sanskrit and Arabic as to Latin and Greek.

46457. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I do not think any differentiation is necessary.

46458. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I would reserve the following posts for members of the Indian Civil Service:—

(*I*) *Executive Branch.*

(i) Memberships of the Board of Revenue.

(ii) Divisional Commissionerships.

These in my opinion are wholly unnecessary in provinces where there are Boards of Revenue, but if they are retained I would reserve them for members of the Indian Civil Service.

(iii) Collectorships.

With the exception of a few which may be set apart as prize posts for subordinate officers of proved merit and ability I would reserve all these for the Indian Civil Service.

By reason of their qualification and training the members of the Indian Civil Service would, in my opinion, be eminently fitted for the discharge of the responsible duties of the posts mentioned above. I do not think there is any other class of public servants in India who can be said to possess the same qualifications for those posts. I have provided for exceptional cases of individuals possessing the necessary ability by setting apart a few prize posts for them.

(*II*) *Judicial Branch.*

I would recruit District and Sessions Judges in the following proportion:—

Twenty per cent. by promotion from the Provincial Service.

Thirty-five per cent. by members of the Indian Civil Service.

Forty-five per cent. by direct appointment of barristers and vakils of not less than five years' standing.

This will secure a preponderance of trained lawyers which in my opinion is essential and will also do away with the necessity of having "listed posts" for members of the Provincial Service. I consider the proportion of 35 per cent. for the Indian Civil Service to be adequate.

I do not recognize the necessity or desirability of the Indian Civil Service being represented as such on the High Court Bench, and am strongly opposed to any considerations based on the supposed claims of communities or services being allowed to weigh in the appointment of Judges of the highest courts of the country. No one has a vested right in these appointments and only such as are qualified by ability, experience, and character should find a place on the Bench of these courts. No member of any Service can, in my opinion, have the training and the experience of a lawyer who has practised his profession with distinction and eminence before different Judges for a considerable number of years. The analogy of Continental methods of recruitment of Judges cannot hold good in India. So far we have advanced on British lines. The Bench and the Bar are permeated by British ideals and traditions and if we are to advance further it can only be on British lines. The great majority of High Court Judges should therefore come from among practising lawyers. It is these who have made the English Bench the admiration of the world. At the same time I would not ignore real worth and merit wherever it is found and for this reason would recommend the appointment of not more than two members of the Indian Civil Service, and not more than one member of the Provincial Service to the High Court Bench, if all the Judges of the High Court recommend by unanimous resolution that such appointment should be made. But I would not earmark any Judgeships of the High Court for any class, community or Service.

46459. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I would make no distinction between European and Indian subjects of His Majesty. Any such distinction is contrary to the letter and spirit of the Statute of 1833 and the Proclamation of 1858. Fitness is the only test I would employ and as I have already pointed out European subjects of His Majesty would never be found lacking in numbers or fitness. It is therefore quite unnecessary to prescribe a minimum even if such minimum be considered desirable.

46460. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I do not approve the existing "special arrangements" and would recommend those I have mentioned in answer to question (18) instead.

46461. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you

recommend?—I am strongly opposed to the revival of the old system of appointment of "Statutory Civilians." It has been tried and found wanting. No more experiments need be made.

46462. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—The system of recruiting military officers for posts in the Indian Civil Service cadre has never existed in the province of Agra and I am not in favour of its introduction in future. It was in vogue in Oudh up till about 10 years ago and I do not think the people of Oudh are any the worse off without it. I am therefore not in favour of the system being reintroduced in Oudh.

46463. (23) Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—It follows from my answer to the preceding question that I will have no selection of officers from the other Indian services for posts in the Indian Civil Service cadre except as pointed out in my answer to question (18).

46464. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I have dealt with this point in my answer to question (18).

46465. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or statutory civilians, may be appointed to one-quarter of the listed posts?—No. For reasons see my answer to question (18).

46466. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes. But I would gradually abolish the "listed posts" and include the "merged posts" in the Provincial Civil Service cadre.

46467. (28) Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—I strongly advocate a complete separation of the executive and judicial functions of the Indian Civil Service. The two services should be separately recruited and no functions which strictly belong to the one should on any account be exercised by the other. Such separation is, in my opinion, the crying need of the country and no reform can be complete without it.

46468. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—I think it is very desirable that they should.

46469. (30) If so, how long, in your opinion should this period be, and what course of study should be prescribed for the probationers?—I would fix the period of probation at two years and revert to the old course of study prescribed for the final examination of 1891 with the addition of the following subjects to the Law of India:—

1. Law of Mortgage and Transfer of Property.
2. Land Tenures in India and Rent and Revenue Laws.

I have proposed the desirability of making Indian History and Hindu and Muhammadan Law compulsory at the competitive examination for candidates for the Indian Civil Service.

If my proposal is accepted I would omit these subjects from the final examination but if it is not I would retain them.

46470. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not consider any differentiation necessary.

46471. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of natives of India and of other natural-born subjects of His Majesty?—The probationers' course of instruction in the case of "Natives of India" should be spent in England and in that of other natural-born subjects of His Majesty in India. For the latter, attendance at Indian Courts of law may *mutatis mutandis* be substituted for attendance at English Courts of law as required by the rules for the examination of 1891.

46472. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—It is very desirable to train probationers in the province to which they are assigned and I do not think it will be advisable to start a college for the whole of India. Suitable arrangements should in my opinion be made with the Indian Universities and the existing colleges.

46473. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—This and the next question, as I understand them, overlap each other, and the term "probationer" seems to me to be used here in a sense different to that in which it is used in the previous questions. The answers I have already given relate to probationers before they enter service and for the training of these it would be desirable for Provincial Governments to make the necessary arrangements for the whole period of their probation at some suitable centre. The case of those who have already entered service is different and for these the best training in my opinion would be to attach them by turns to the High Court as judgment-writers and personal assistants to the Registrar, to senior officers in the Executive and Judicial services of the province and to the Legal Remembrancer, Government Advocates, and senior Government Pleaders. I would attach "Natives

of India" to European members of the services last-mentioned and other natural-born subjects of His Majesty to Indian officers. The latter should be required to acquire facility in speaking the vernacular of the province as educated men and learn how to treat Indians with courtesy and consideration and how to avoid offending their feelings and prejudices. They should be expected to converse in the vernacular with the officer to whom they are attached and the latter should be instructed to insist upon this being done.

46474. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I have made my suggestions in answer to the previous question.

46475. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I am not satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages. Most of them come to the end of their career in India without acquiring even a rudimentary knowledge of the vernacular of the province in which they have spent their life-time. The reason of this is that with the spread of English education in the country there have been fewer and fewer opportunities for Europeans to converse with Indians in their own language. The old type of Hindu or Muhammadan gentleman who, without knowing a word of English, was the embodiment of true oriental culture, is fast dying out and the English-speaking man with English ways is taking his place. The European officer finds it necessary to speak the vernacular only when he comes in contact with the ignorant classes and as a consequence is out of touch with the style of language used by the upper classes. So far this deterioration is due to natural causes. But the artificial barriers which exist between Europeans and Indians are in my opinion equally responsible for the existing state of things. What is required is freer intercourse between the two classes on equal terms. This will greatly depend on the treatment accorded to Indians by Europeans and no specific remedy can be suggested. The suggestion I have made of attaching young Civilians to experienced senior Indian officers will considerably improve matters. But the real solution of the problem must be left to the mutual efforts that are now being made and I hope will continue to be made in cultivating a better understanding between the two peoples.

For the present all that can be done is to encourage the study of books in modern colloquial Hindustani (both Hindi and Urdu) which are now numerous. I would institute an additional examination for all members of the Indian Civil Service in somewhat more advanced Hindustani than is now offered by junior Civilians in the higher standard examination and would hold this additional examination after 5 years' service. If this is decided upon the proper course of study can easily be determined.

46476. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—For the purpose of securing general improvement and proficiency in the knowledge of law in all members of the Indian Civil Service it is in my opinion enough to revert to the old practice of 2 years' probation with the wider range of study I have already suggested. The special arrangements I consider necessary for officers selected for the Judicial branch have been indicated by me in my answers to questions (11) and (34).

46477. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—It is very desirable that officers selected for the Judicial branch should keep up their study of law but this must depend on the inclination of individuals. I am not prepared to prescribe a course of study with a view to further examination but have, so far as appeared to me possible, made due provision to secure the necessary proficiency by widening the range of study for the final examination and introducing a system of training as Munsifs, Subordinate Judges, and Assistant Judges.

46478. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—Yes. I have given details in my answers to questions (11) and (34).

46479. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think any differentiation is necessary except that "Natives of India" should receive their training under European officers and other natural-born subjects of His Majesty under Indian officers.

46480. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.—For purposes of probation and training I would put "Natives of India" who are of mixed European and Indian descent or of unmixed European descent on the same footing as other natural-born subjects of His Majesty who are not "Natives of India." I have already stated my proposals in regard to each. Please refer to my answers to questions (34) and (40).

46481. (45) Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I would abolish all invidious distinctions between members of the same services

depending on nationality or domicile and allow increased salaries to the present recipients of exchange compensation allowance as well as to future entrants.

46482. (46) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I would have the same scale of salaries for all members of the same service whether they draw exchange compensation allowance or not.

46483. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I would increase the salary of Statutory Civilians and officers of the Provincial Service from two-thirds to three-fourths of the pay drawn in the same posts by members of the Indian Civil Service. But in cases where an officer of the Provincial Service is a member of the same Court as an officer of the covenanted service, *e.g.* the Court of the Judicial Commissioner of Oudh, no distinction should be made and the same salary should be given to both.

Written answers relating to the Provincial Civil Service.

46484. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions stated in the Government of India Resolution cited in the question are not in my opinion suitable. I would recruit the Provincial Civil Service by open competitive examination. If the system of recruitment by competitive examination is good enough for the Indian Civil Service, I do not see why it should not be equally satisfactory for the Provincial Civil Service.

46485. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—The rules are not at all satisfactory. Recruitment by open competitive examination is the only safe alternative I can suggest.

46486. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—I think so.

46487. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—There are endless squabbles going on between Hindus and Muhammadans on the subject of proper representation of the two communities in the Provincial Civil Service of these provinces. Each class complains that the other is over-represented and no end of statistics is called for from the Government at the meetings of the Local Legislative Council. I confess I am unable to say what the real fact is as the whole question is so annoying to me that I have never taken the trouble to go into figures. As I have already stated, I am strongly opposed to class and communal representation in the public service of the country. If however such representation is considered necessary, I would recommend that 75 per cent. of posts be filled up by open competitive examination and the remaining 25 per cent. by nomination after the results of the open competition are published. The nominations will, of course, be made with a view to adjust the proper proportion of the communities who have failed to secure their proportionate share at the open competition. In any case I would not allow the representation of any community in excess to the proportion it bears to the total population.

46488. (57) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The only differentiation is that officers on the Civil side, *viz.*, Munsifs, Subordinate Judges, Judges of Courts of Small Causes, and Assistant Judges, have no executive duties to discharge, while those on the Criminal and Revenue side, *viz.*, Deputy Collectors and Deputy Magistrates, have a curious jumble of functions to perform. As in the case of the Indian Civil Service, the complete separation of the executive from the judicial functions is urgently called for in the Provincial Civil Service also.

46489. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—Yes.

46490. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

46491. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. I would fix the starting salary of a Munsif or Deputy Collector at Rs. 300 and the maximum salary of a Subordinate Judge or Deputy Collector of the highest grade at Rs. 1,200 per month. Judges of Courts of Small Causes should have a salary of Rs. 1,500 per month. The present salaries do not attract the best available men.

46492. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No. Please see my answer to question (47).

PANDIT MOTI LAL NEHRU called and examined.

46493. (*Chairman.*) You are an Advocate of the High Court, Allahabad, and a member of the Legislative Council of these provinces?—Yes.

46494. You are also President of the United Provinces Congress Committee?—Yes.

46495. Your scheme for the further admission of Indians into the Service is to have a preliminary examination in India for candidates between the ages of 17 and 19, open to all natural-born subjects of His Majesty?—Yes.

46496. And then successful candidates, to the number of 25 or 30, would be awarded scholarships of £200 a year, tenable for three years, enabling them to go in for the competitive examination in London?—Yes.

46497. So that you would have at the University in course of time, between 75 and 90 cholars?—Yes, in the third year and thereafter.

46498. The examination which you propose to hold in India for the scholarships is to be an open examination for the whole of India, is it not?—Yes, without restriction of any kind whatever; open to all the subjects of His Majesty.

46499. You are opposed to any form of nomination combined with examination?—I am strongly opposed to nomination of any kind.

46500. What is your main reason against combining preliminary nomination with an examination?—In my opinion nomination is simply an euphemism for favouritism. It may be that with certain people, with certain Selection Boards, so to speak, nomination may be very satisfactory, but the very principle involves the possibility of jobbery, and I would exclude it altogether.

46501. Can you not conceive any form of nominating Board which would be free from those vices?—I do not think it is impossible or inconceivable but I object to the principle.

46502. How many candidates do you anticipate would enter for your examination for scholarships, if you opened it to the whole of India?—In the beginning there would be a very small number, but I suppose as time goes on the numbers will increase.

46503. Why do you think there would be very few candidates at first?—It would require special preparation. As things exist now there are no opportunities for such special preparation. When the examination becomes established there will be institutions growing up all over the country where special facilities will be afforded for preparation for this examination.

46504. I should have thought that the fact that it was for the whole of India would have induced a very large number to have a try for it?—When I say that there would be a small number, I mean speaking comparatively. To begin with it would be a comparatively small number, but it will swell.

46505. The examination you propose is somewhat on the lines of the Indian Civil Service examination, only of a rather lower standard?—Yes.

46506. Of whom would you suggest that the examining board should consist?—It need not necessarily be subject to the Civil Service Commissioners. There might be examiners appointed from the various Universities.

46507. You say if this scheme is not accepted you would prefer simultaneous examinations, and you would like to see the age-limit reduced from 17 to 19, and three years' probation in England to follow?—The age-limit which I have mentioned is a slip. I have corrected it in the copy which I have handed in to the Secretary, I would make it 19 to 21. I put down 17 to 19 for the preliminary examination.

46508. Why have you changed the age?—It was not my intention. It was simply a slip.

46509. Would not the age of 19 to 21 come into conflict with the University course at Home?—No. The candidate will have three years after he is 21. In case there is a simultaneous examination at the age of 19 to 21, I would recommend three years' probation in England.

46510. Do you set great store on that probation in England?—I do.

46511. I notice that you say, "I do not believe in a person qualifying himself for a post after he has got it." That rather implies that you regard the first examination as the main test?—Yes, I do. That is my proposal. My scheme I put first. In case it does not commend itself to the Commission, then I say the next best thing is simultaneous examinations.

46512. The principle would be the same for both?—Yes.

46513. Would you not set very great store on the training which the young Civilian should get after he has passed his first preliminary examination?—Yes; but I should like him to know that unless he passes his examination in England he will be liable to rejection. If he has got his appointment in his pocket I should not expect the same amount of work from him, as I otherwise would.

46514. Do you think that as many Indians would get in through the London examination at the age of 19 to 21 as get in now between the ages of 21 and 24?—I should think so. I should think that those who have got in so far under the present conditions would get in even if the age limit were reduced.

46515. You say you are strongly against the representation of classes and communities in the Public Service. Do you not find any practical difficulties with regard to officers of one community being placed in districts inhabited by another community?—There is hardly any district in these provinces which is composed of one community only. There are generally both the communities, and there may be a preponderance of one community in one district and a preponderance of another community in another district; but I do not see that any difficulty would be occasioned by a Hindu, for instance, being appointed to a district where the preponderance was Muhammadans, and *vice versâ*.

46516. Would you make any distinction in the matter of communal representation as between the Indian Civil Service and the Provincial Civil Service?—No. I would not.

46517. You do not regard it as more important to consider that aspect with reference to the Provincial Civil Service than with reference to the Indian Civil Service?—I think it is equally wrong in principle to introduce communal

representation in the Provincial Service and the Indian Civil Service.

46518. You yourself make certain provisions with regard to the Provincial Civil Service, and you say that 75 per cent. are to be admitted by open competition and 25 per cent. by nomination?—Yes, that is in case it is held that some sort of communal representation must be introduced. Even then I would have 75 per cent. by the open competitive examination; and the balance after the examination. Any deficiency in any community might be made up out of the 25 per cent.

46519. You make that concession against your own better judgment?—It is against my own principle. If I am held to be wrong, and if some sort of communal representation is introduced, I should still have the greater majority coming in by the open competition.

46520. You are satisfied with the present statutory definition of the term "Natives of India"; but you would like to substitute the term "Indian"?—Yes.

46521. Would not this introduce a complication with regard to the members of the domiciled community?—I do not see how. They will all be Indians.

46522. Your alteration of title would not imply the exclusion of members of the domiciled community?—No. I would define "Indians" in the same sense as "Natives of India," and comprehend the same classes.

46523. You would gradually abolish the listed posts and include the merged posts in the Provincial Civil Service cadre. I do not quite understand what you mean by that. The merged posts are already included in the Provincial Civil Service cadre?—Yes.

46524. Would you leave the present listed posts in the Indian Civil Service cadre?—I would obliterate the distinction between the merged and unmerged posts altogether. Those that are merged posts are not listed posts at all. I would abolish the listed posts gradually; and when the listed posts are abolished there would be no more posts which are merged and posts which are not merged.

46525. Are you speaking of the posts merged in the Provincial Service, or listed posts?—I am speaking of listed posts as a whole. I would gradually abolish listed posts, and those which have been merged in the Provincial Civil Service cadre I would retain in that cadre.

46526. On the other hand, you would add a grade or two to the Provincial Civil Service?—Yes.

46527. A Rs. 1,000 and a Rs. 1,200 grade for Subordinate Judges?—Yes.

46528. Do you think that the Provincial Civil Service would appreciate that more than the present listed posts with the somewhat higher status attached to them?—I do not know what the Provincial Civil Service would think of it. My idea is to include in the Provincial Civil Service cadre the listed posts which are now reserved as special prizes. Those would be special prizes for the whole Service; and then there would be the Indian Civil Service posts which would ordinarily be reserved for that cadre. It was with a view to abolishing the listed posts that I have made this suggestion.

46529. It would simply mean this, that you would bring down the listed posts into the Provincial Civil Service instead of leaving them between the Provincial Civil Service and the Indian Civil Service?—Yes; I would allow the Provincial Civil Service men to be promoted direct into the higher Indian Service.

46530. When they are thus promoted would you give them the status of the Indian Civil Service officer without any reservation?—Yes.

46531. (*Lord Ronaldshay.*) The answers which you have given here represent the views of the United Provinces Congress Committee?—No: they represent my own views.

46532. Under your scheme for recruitment you anticipate that most of the Indian scholars whom you would eventually send to England to compete at the open examination would prove successful?—I cannot say as to what proportion of them would be successful, but the whole idea is to give them the same facilities as the people have in England.

46533. I rather gather from what you said in answer to question (6) that one of the great advantages of your plan would be that even the probably small proportion of failures would not suffer with regard to their future career and I gather from that that you expect the great majority of your scholars would be successful in the open competition?—I do expect that they would be more successful than they are now. A greater proportion of them would be successful than at present. It is impossible to say what the proportion would be.

46534. (*Sir Theodore Morison.*) With regard to your answer to question (18), what would you do with the Judicial branch of the Service? I understand you would give 45 per cent. of the District and Sessions Judgeships by direct appointment to legal practitioners?—Yes.

46535. Will you tell me how you would select those?—They would be selected by the High Court.

46536. By nomination?—Yes.

46537. Would not that be a euphemism for favouritism in that case?—In that case the High Courts know there are practitioners and the public knows them too. It would be a gross case of jobbery if they were to select third-rate men. They would not do so. You must depend upon the highest court of the country.

46538. The difference is that you think in the past the selections by the High Court have given great satisfaction; and nomination by such a body as that you do not object to?—I do not object to that. When it comes to official appointments being given to the Bar, that is the only way in which you can appoint members of the Bar. You cannot submit them to further examination.

46539. Do you accept it with reluctance?—That is the only possible way of doing it.

46540. Do you think it entails evils, though it is the only possible way?—For the selection of District Judges from among members of the Bar nomination is the only available means and therefore one has to resort to it.

46541. These proportions which you have proposed are unlike anything which has been suggested to us before: why do you give such

an unusually small proportion to the Provincial Civil Service? You say 20 per cent. by promotion?—Yes, that is one-fifth of the whole cadre.

46542. And you would give half to Barristers and Vakils?—Yes; because it will secure a preponderance of trained lawyers. I want trained lawyers to be District Judges. As I have said here, I do not believe that any member of any service can have the same training as the practising lawyer.

46543. Your point is that no Judicial Service can have the same training in the law as the practising lawyer?—Yes.

46544. I gather that you do not attach any value, or next to no value, to the three years' practice in the profession which is imposed upon Munsifs?—Yes, I do. Six years' practice would be double its value; and twenty years' practice, will have its own value.

46545. You give the smallest proportion to the people who start as Munsifs, and you give a much larger proportion to the members of the Civil Service who have never practised. Why do you do that?—Because of the other safeguards I have imposed, I mean the other safeguards for efficiency. If the suggestions I have made are adopted the result would be that men from the Civil Service would have received a probation in the High Court, as assistants to registrars, as judgment-writers, as Munsifs, and Subordinate Judges.

46546. In service, but not by actual practice?—I have attached them also to Pleaders and Government Advocates.

46547. (*Mr. Abdur Rahim.*) You have had much experience of the profession?—I have been thirty years in it.

46548. You say that your Bar is a competent Bar?—I think it is as competent as any other in any of the big centres.

46549. It has been said that you cannot get really good men for such posts as District Judges. What is your experience? You know the profession, and you ought to be able to tell us?—I think there are many men in Allahabad and Lucknow, who are perhaps too good for Judgeships. They would not take them up. But there are also men who would be very glad to take such posts, and would make good and competent Judges.

46550. But are they men of sufficient progress and standing in the profession?—Yes. You will find men of ten or twelve or fifteen years' standing who would be willing to accept such posts.

46551. Would they have sufficient practice? What practice would they have, valuing it by income?—Even if a man earns a large income he is likely to take a District Judgeship. He has prospects of pension, and there are other inducements.

46552. Do you think that men with between Rs. 1,000 and Rs. 2,000 income would accept it?—Yes, I suppose so.

46553. Are there also men in the District Courts who could be considered competent for such places?—There are. I cannot say in every district, but in most districts there would be. For instance, in the districts of Cawnpore and Benares, and other places like that, there are many competent men.

46554. Do you think the executive experience which the Joint Magistrate has is of much use to him on the Bench?—I think it is of absolutely no use to him at all. On the contrary, it is a drag upon his judicial frame of mind.

46555. It is a drawback in what way?—It is very difficult for him to get rid of the ideas, which he has conceived as an executive officer. I do not believe in the training of a civilian as a judicial officer while he is doing purely executive work. What is claimed for it is that he knows the people. But the truth about it, in my opinion, is that he does not know the people as they are: he knows them as they are presented to him. The one test of it is that he does not know the language of the country. I have not seen more than half a dozen in the whole course of my experience at the Bar who can speak the language of the country with any facility. They may be able to make themselves understood to *khitmatgars*, but they would not be able to carry on an ordinary conversation either with a villager, because the villager's language would be of a different style, or with very high class people who live in towns.

46556. Is it not a fact that when he goes out to camp touring in the district he comes into contact with villagers, and talks with them about their affairs, and gets to know them in that way?—I think when touring the time of the officer is divided between shooting and holding his kutchery. Shooting comes in very handy.

46557. In the *kutchery* he is trying cases?—When he finds time he tries cases. He tries them much as he would try them at head-quarters if he was not on tour. I do not think he goes to the houses of the villagers to converse with them.

46558. Does he acquire some sort of Judicial experience when he is working as a Joint Magistrate, where experience would be of use to him as a Judge?—He does try some criminal cases.

46559. How far does the trial of criminal cases befit a man for a Judge's work?—He may do the work of a Sessions Judge, but not the work of a District Judge who tries civil cases.

46560. What would you say to a system by which in open competition one is encouraged to study law a good deal by marks being assigned to that subject, and then, say after six or eight years, one is sent to England on his study leave to study in the chambers of a Barrister and get called to the Bar if possible? Do you think that that would be a very substantial improvement on the present state of things?—A very great improvement.

46561. Do you think after such a study leave he will be able to enter upon his judicial duties at once?—After he has had work for some time, I would give him some small civil suits to try.

46562. Then he must come back and begin as a Munsif and then as a Subordinate Judge?—Yes, he might have appellate jurisdiction later on.

46563. You lay very great stress upon the necessity of separating the executive and the judicial functions. You say that it is a crying need in these provinces?—Yes.

46564. What sort of evil arises out of this combined system, in your experience?—I do not think there can be any question as to the principle of it.

46565. Apart from the question of principle, is it actually abused in practice?—One can only give instances in which injustice has resulted.

46566. In what direction?—In the direction of innocent persons being convicted and guilty persons being at large—never apprehended.

46567. You say there are miscarriages of justice due to this combined system?—Certainly.

46568. Has it led to any apprehension in the minds of the people that the Subordinate Magistrates do not try the criminal cases with impartiality on account of their being subordinate to the District Magistrate, who is the executive head officer of the district?—Generally speaking there is no such apprehension; but in some cases where it is supposed that the administration of the district is at stake the general impression is that the result of the case is not the result of the evidence, but for the good of the administration.

46569. Would they be more important police cases?—More especially *badmashi* cases.

46570. Are cases very frequent under section 110 here?—One hears frequently of them.

46571. What are the class of *badmashi* cases in which you say this power is abused?—I have not much experience of criminal cases. I have not laid myself out for that work for some years past; but they are the "bad livelihood" cases, as they are called, under section 110. A man has been reported upon privately. He incurs the displeasure of the lowest police officer. The police officer conveys it to his superior, and it reaches the Magistrate, and he is in the bad books of the Magistrate. The least thing against him ends in his conviction under this section, under which he need not be proved to have committed any definite offence.

46572. Are men of any position and aristocracy prosecuted under that section?—Some very important zamindars have been prosecuted. A *purdah nashin* lady has been prosecuted to my knowledge who is closely related to the Maharaja of Rewah. She was tried, but the charge was subsequently withdrawn. The charge was for inciting a breach of the peace. It was a case of security for keeping the peace.

46573. That is under another section, section 107?—Yes.

46574. Is that section also brought into request very much?—Yes. Those are the two sections which are very much used.

46575. *(Mr. Sly.)* Were you born in the United Provinces?—Yes.

46576. What is your race or caste?—I am a Kashmiri Brahman. I was born in Agra, and so was my father before me, and my grandfather.

46577. You were speaking about the work of the Collectors in camp; have you been with a Collector when he has been in camp?—I have several times visited a Collector when he has been in camp.

46578. As a visitor?—No, on business.

46579. Have you appeared in cases before Collectors when they have been in camp?—Not only in cases, but what are called executive things; seeing them in connection with those sort of things.

46580. Have you spent some days with them in camp?—No. I have been there for a day, or for some hours.

46581. When they go shooting, do you think they have to know anything of the language for that purpose?—The language of the birds, perhaps!

46582. But not the language of the *shikaris*?—They know enough for that. I do not mean to say that they cannot express themselves to the *shikari* or to the *khansama*.

46583. Does the *shikari* talk a different language from the language of the country?—The *shikari* talks very good Hindustani, no doubt. They can express to the *shikari* their intention of going out for the shooting; and perhaps they can name the animal that they want to shoot. It does not necessarily follow, if the *shikari* knows Hindustani, that the man who speaks to him knows the same amount of Hindustani.

46584. In your scheme for the recruitment of District and Sessions Judges, you have allowed 20 per cent. to the Provincial Civil Service?—Yes.

46585. Do you know how many District Judges there are in these provinces at the present time? I think the Civil List shows that there are 28?—There has recently been some increase. I think the number is 31.

46586. You want 20 per cent. of these posts to be listed?—Yes.

46587. That would give you about six, would it not?—Yes.

46588. At present they have got eight listed in the Provincial Civil Service?—That is after I wrote this.

46589. Do you wish those posts taken away from the Provincial Civil Service or not?—No.

46590. You would still leave them eight listed posts?—Yes. They have not been given; they have been set apart.

46591. Do you desire that they should now be taken away from the Provincial Civil Service under your 20 per cent. rule, or would you prefer the present system?—That is only a rough proportion, which I have given, in order to indicate the preponderance of the members of the Bar, and the preponderance of the members of the Civil Service over the members of the Provincial Civil Service. That was the idea. I do not stick to 20, or 35, or 45 per cent. It may be 33, or it may be 22 per cent.

46592. *(Mr. Macdonald.)* With reference to the combination of the Home and Indian Civil Service competition you say, "The combination in other respects will be to the advantage of Indian interests, as it will keep the tone and standard of the examination for the Indian Civil Service on a par with that of the other Civil Services of the Empire." As a matter of fact, when these examinations were separate, was not the Indian Civil Service regarded as the superior competition? You do not know when the combination took place?—I am not aware of that.

46593. Do you think that your second argument in favour of keeping them together in this way as it keeps up the British interest in the examination, is a sound one?—My idea was that if the Civil Service examination was separated from the other services, the Home and Colonial, that section of the British public who are interested in the latter examinations would lose touch with the former.

46594. Do you take the view that it is very desirable that the men who come out here should really be interested in India, and not merely be interested in making a living ?—Certainly.

46595. So, to that extent, would not that point rather to the old custom of having the two examinations ?—My whole object in putting that down was, that if the examinations were held together the field of likely persons who might come out to India would be enlarged, and persons who might possibly not think of coming out to India might, on account of this combination, do so, and that they would really be interested in the country. In this way India would have men coming out here interested in the country.

46596. You would not extend your field of selection so wide ?—A large percentage would consist of people who are not interested in the country at all. They would sit for another examination, and failing to pass that examination would take other Indian appointments

46597. If that is the effect of the combination, may I take it that you would be opposed to the combination?—Certainly; if that is the effect.

46598. You give us a scheme for scholarships and so on. Have you any objection to this sort of method; that you have your simultaneous examination at the earlier age, and then send your successful men home to England for a two, or perhaps a three years' training; and then at the end of that period have a very stiff test examination: letting it be clearly understood that those men who did not come up to a high standard in that test examination would have to get appointments somewhere else, either in the Provincial Civil Service or elsewhere ?—The only objection to that is that you would make a differentiation between Englishmen and Indians.

46599. The Englishman would go through exactly the same process ?—I would have no objection.

46600. You would have to lower the standard of examination ? You are not dealing with men of 22; you are dealing with young fellows of 18 or 19. You have a competitive examination: send your men home for a thorough training in Indian subjects, then test them very severely upon Indian subjects and make provision for any that should fail ?—That, in effect, would be the preliminary examination which I am suggesting here.

46601. Your preliminary examination under that scheme would be the simultaneous examination ?—Yes.

46602. Have you any strong objection to that ?—No; I would not have any strong objection to that.

46603. This is not the official evidence of the United Provinces Congress ?—No. That was handed in by Mr. Malaviya.

46604. They have not considered this ?—No.

46605. Although it is not their official evidence, it does not mean that they have rejected it ?—No.

46606. You are so intimately associated with them and you come with different evidence, is the reason why I am asking you the question.—I should have had no difficulty in presenting the Congress Note, had it not been for the fact that the Commission kindly allowed Mr. Malaviya to appear, and hand it in himself. There is one difference, however, that I put simultaneous examination after my preliminary examination. There is no other point of difference between my memorandum and the memorandum of the Congress.

46607. (*Mr. Madge.*) You think that justice requires that competitive examination for the Indian Civil Service should be held only in India and you think that Englishmen desiring to compete for it should come out here ?—I say that that would be the strict justice of the case.

46608. After your preliminary examination you propose scholarships of £200 a head and you give the total expenditure at £18,000, which means rather over 2½ lakhs a year. Do you think that that expenditure would be justifiable as realised from the tax-payers of this country in the interests of the candidates ?—I think so. I say it is not excessive in my opinion.

46609. You have already said that you think most of them would succeed ?—Yes.

46610. What grounds have you for saying that ?—Because they would be the pick of the country. They would not be able to go on the off chance of getting ready for the examination in England.

46611. Witnesses have told us that the majority of Indian students going to England, exposed as they are to temptations with a different system of living, have turned out bad bargains; although your men may be intellectually very superior men it does not prove that they are morally capable of withstanding the temptations. Do you think that most of them will succeed in spite of those risks ?—Yes. Some of them might turn out afterwards to be simply bad bargains. If so many people holding scholarships were sent I should make provision to guard against their going to the bad.

46612. You say, in answer to question (11) "Members of the Indian Civil Service should, in my opinion, be required to elect for the Judicial branch within the first three years of their appointment." Do you think they would have gained sufficient experience of the country in their joint offices to be good Judges afterwards ? —I think their minds would be sufficiently free from executive prejudice and bias during the first three years.

46613. (*Mr. Tudball.*) At the end of your answer to question (18) you say, "At the same time I would not ignore real worth and merit wherever it is found, and for this reason would recommend the appointment of not more than two members of the Indian Civil Service, and not more than one member of the Provincial Service to the High Court Bench, if all the Judges of the High Court recommend by unanimous resolution that such appointment should be made." Why have you used the word "unanimous ?"—I mean, there should be no substantial difference of opinion between the Judges.

46614. "Unanimous" would mean that the opinion of six Judges would not avail against the opinion of one. Supposing one said "No," what would happen ?—The man should have the appointment.

46615. Would it not be better to substitute a substantial majority, say two-thirds, or something like that ? It is rather hard that a man's future career should be in the hands of one

man ?—I would not mind making that alteration. Instead of "unanimous" I would substitute "substantial majority."

46616. You have stated that in your experience five or six Civilians speak the language fluently. Do you know how many members of the Civil Service have obtained degrees of Honour and High Proficiency in the language ?—I do not attach any value to those degrees.

46617. Practically you attach no value to a regular study of the language ?—What I state here is a regular study of the language. I have given the course of study I suggest. I can say with perfect confidence that in the whole course of my life I have only met two Englishmen who could speak Hindustani as an Indian.

46618. The pronunciation is difficult. The great difficulty for the European is to get a good pronunciation ?—Yes.

46619. Is that the standard you would demand ?—I have known people who have been 25 years in the country, and yet they do not know the ordinary conversational style of Hindustani. That is to say, what I talk in my house, or any other Indian gentleman would talk in his house.

46620. Do you not think that they know enough to understand the evidence of witnesses given before them ?—That they follow with some assistance.

46621. Can an Indian who is a resident in the Western district of these provinces, say Tappal in Aligarh, understand a resident in Gorakhpur when he speaks ?—Not on the first day, but on the second day he would be able to understand him altogether. I have an example which is present to my mind. I went for the first time in my life to Gorakhpur to conduct a case there. On the first day I did not understand the language at all, the sort of dialect of Hindustani which was spoken there. After five or six days, when I came back to Allahabad, I could not get rid of that dialect, and I found myself speaking that same dialect, and the people were all laughing at me.

46622. You are taking a special intellect with a special instance. That would hardly be the case of the average Indian in the Aligarh district? —The words are the same: it is only the way in which they are used, which makes it a little different.

46623. Do you think a want of knowledge, as you put it, means failure ?—When it is claimed for the Indian Civil Service that the executive functions they discharge give them a prior claim for Judgeships, I say that the claim of the Bar rests upon a higher footing, work before Judges of the High Court, and work in all sorts of cases, civil, criminal, and everything else. Executive work is absolutely of no value at all to a man who has to be a District Judge and who has to exercise purely judicial functions.

46624. You do not believe that there is a single officer in the service who has spent his evenings out in camp in the *chaupal* of the villages ?—I do not mean to say that.

46625. Would you be surprised if I quoted you something like three or four dozen men who to my personal knowledge do so ?—I do not deny that; but the whole question is, What is the opportunity which an officer gets of knowing the country by doing so ?

46626. (*Mr. Fasih-ud-din.*) What is your opinion about the present prospects of the Executive branch of the Provincial Civil Service; do you think they are good, and do you think they admit of any improvement ?—I suppose they do admit of improvement.

46627. You say here, and probably rightly so, that considering the peculiar conditions of India the post of Collectors should ordinarily be reserved for Europeans, and that only a few posts should be given to deserving men of good family; and you advocate that 20 per cent. of the posts of District Judge should be given to the Judicial Service. What opening do you propose for members of the Executive branch in that case ?—I would give them the prize posts spoken of here.

46628. In the Judicial branch you specify 20 per cent. posts. Would you not be more definite about the openings for the Executive Service ? —I should be glad to see the prospects of the Executive Service improved. I do not think, so long as the present system of recruitment by nomination exists, that I should widen the door of admission for the members of the Executive Service into the higher appointments.

46629. Are you aware of the fact that this system of competition for the Provincial Service was started some time ago and given a trial for six years and that it attracted only two castes, the Brahmans and the Kayasthas, and that it had to be abandoned ?—Why should it be abandoned for that reason ?

46630. Because it attracted some people who were not considered to be very deserving ?—Who did not consider them deserving ?

46631. The Government ?—If the Government does not like that system, and wishes to pick and choose from among the successful candidates, it is nomination with a vengeance ! It is not competition at all.

46632. Have you seen the reasons given by Government for discontinuing the system ?—They say it has failed.

46633. They give certain reasons : they do not say so without giving a reason ? —If I know those reasons I will be able to give my opinion about them.

46634. Are you aware that the Courts of Deputy Magistrates are crowded by pleaders who are LL.B.'s and Vakils of very good standing and respectability, and that the old Mukhtear class is now dying out ?—My own experience is that as soon as a man begins to pick up work on the civil side he chucks up the work on the criminal side in disgust.

46635. You have never worked as a criminal lawyer ?—In my early days I have, and even now, I am consulted in many important cases, though I do not actually appear.

46636. I am talking about the mufassal pleaders. —No, I do not appear before District Magistrates.

46637. I am talking about legal practitioners. in the mufassal. Do they not appear indiscriminately before the Subordinate Judge and the District Magistrate ?—Some of them do.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)

At Lucknow.

Saturday, 5th April 1913.

FORTY-SIXTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. *(Chairman.)*

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
ABDUR RAHIM, ESQ.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
HERBERT ALBERT LAURENS FISHER, ESQ.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

WILLIAM TUDBALL, ESQ., I.C.S., Judge of the High Court of the North-Western Provinces.
RAI BAHADUR PANDIT KANHAIYA LAL, M.A., LL.B., Second Addditional Judicial Commissioner, Oudh.
KHAN BAHADUR MAULVI MUHAMMAD FASIH-UD-DIN, Deputy Collector, Kashipur, Naini Tal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. *(Joint Secretary).*

RAI NATTHI MAL BAHADUR, C.I.E., Merchant.

[N.B.—The replies have been translated from the vernacular.]

Written answers relating to the Indian Civil Service.

46638. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes: the system is generally acceptable and satisfactory in principle.

46639. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The only fault, if it is a fault, in my opinion is in the various course of studies prescribed for the examination. That examination ought to include practical training, for which the candidate must study Hindu Law, Muhammadan Law, Revenue circulars, Settlement Reports, Gazetteers, specially with reference to the province to which he may be posted.

46640. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes, It is suitable equally for all classes, Natives of India as well as other natural-born subjects of His Majesty.

46641. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I am of opinion that the combination is not necessary.

46642. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.—I do think the present system to be perfectly satisfactory.

46643. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of a simultaneous examination to be held in India as well as in England.

46644. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—Not in favour of such a scheme.

46645. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of *(a)* nomination, *(b)* combined nomination and examination, or *(c)* any other method?—If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—*(a)* Not at all. *(b)* May be nominated by the Principals of the Colleges, and the examination should be conducted by a committee with the Chancellor or the Vice-Chancellor of the University as the President. The Chancellor or the Vice-Chancellor may appoint examiners from the European officials filling high positions as Judges of the High Court, or Chief Court. This will be

applicable to candidates living in India. *(c)* Provisions be also made for Indian candidates taking up B.A. Degree in England to join Indian Civil Service examination: all the candidates selected under conditions stated as in *(b)* and *(c)* must come of respectable families.

46646. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I am not in favour of this.

46647. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—The present system is satisfactory.

46648. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.—The existing system is good enough for the recruitment of Sessions Judges. But as regards the recruitment to the Judicial branch it would be most satisfactory if a further education in Law is imparted to Civil Service candidates or they are made to undergo a different examination in Law before they be taken in the Judicial branch, as in the High Courts or Chief Courts successful lawyers are appointed Judges, so for the posts of District and Sessions Judges, successful practising lawyers may be selected by Government, as at present in the High Courts and Chief Courts.

46649. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The present statutory definition is all right.

46650. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.—Twenty-two years is good enough.

46651. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—The present age-limit is satisfactory.

46652. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—No special concession in my opinion regarding age is required for Indians.

46653. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—The present system is satisfactory.

46654. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No change is required as the present system is good enough.

46655. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes, all posts the duties of which are of a responsible nature which entails decisions upon questions of difference or quarrel between Hindus and Muhammadans.

46656. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—As far as the figures of the Indians go at present, it is desirable that the proportion of Europeans should be 80 per cent; 20 per cent.

46657. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Quite satisfactory.

46658. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No, not under the present circumstances.

46659. (22) If the system of recruiting military officers in India for posts in the Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—No, certainly not, as a military officer is not suited for civil work.

46660. (23) Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian Services?—I think not.

46661. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—Yes, certain posts such as Junior Secretary to Board, Deputy Director of Land Records, Assistant Inspector-General of Registration, Police, Opium Department, &c. &c. are the posts to which the members of the Provincial Civil Service can properly be appointed.

46662. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—This is good enough.

46663. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes, the present system is satisfactory.

46664. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Suitable.

46665. (28) Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.—It is a fact that the progress of India greatly depends upon British methods of administration and British ideals and when it is so, the appointments of Indians on higher posts of Civil Service will clearly show that they are now quite capable of administration, but it is not so, for if it may be enquired from the public or from the reports of Law Courts it will be observed that only a very few out of hundred Indian officers would hardly be able to give entire satisfaction to the people by their mode of administration.

It is our daily experience that a greater number of cases are transferred from the courts of Indian officers to European ones. In the administration of the country the officer should possess not only courage but also decision of character and habit of thought, in which Indians are generally wanting.

46666. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes: this is very necessary.

46667. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Yes: in England, for both.

46668. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—Yes, but practical training in surveying and other revenue work is necessarily required.

46669. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes: very desirable for each Provincial Government separately.

46670. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—They should be placed under capable and efficient officers and see their methods of work before they are posted to any district.

46671. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes: there seems some deterioration but why I cannot say. Very few officers understand the Indian languages, which ought to be learnt with still greater care and fluency.

46672. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—For this purpose the Revenue Law, Circulars, Settlement Reports, and Gazetteers should form part of their practical courts. Civil Law as well as Hindu and Muhammadan Law should also be made compulsory subjects. Those who go up for the Judicial branch must first be made to appear in a Judicial test examination.

46673. (38) Do you recommend any special course of study in Law in India for officers selected for the Judicial branch?—They must have some knowledge of Civil Procedure Code, Transfer of Property Act, Contract Act, Hindu and Muhammadan Laws.

46674. (44) Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—Quite satisfactory.

46675. (45) Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The exchange compensation allowance may be considered in giving pay, separate allowance is not necessary. This should be applied to all in general.

46676. (46) If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—Is necessary in case of such members of the Service as well.

46677. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—The distinction should be observed but not so great as at present.

46678. (49) Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—No.

Written answers relating to the Provincial Civil Service.

46679. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—These should be modified to the extent that only high classes of the community should be taken and not all in general.

46680. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—Yes: the present system is suitable.

46681. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

46682. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No, not desirable. The Local Government should give due thought only to the high classes of the community.

46683. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—No. The probationers should be placed under trained officers for one year and should be trained in all sorts of work.

46684. (56) Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—Quite satisfactory.

46685. (57) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The two branches are distinct and no change seems necessary.

46686. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—Quite satisfied.

46687. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Quite satisfied.

46688. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—It is quite adequate in case of those who are recruited from outside, while in case of those who are recruited from subordinate service the rate should not be below Rs. 250.

46689. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—The distinction should be observed but not so greatly.

46690. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—No. Quite suitable.

46691. (63) Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest and on what grounds?—Yes.

46692. (64) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable? (65) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—[(64) & (65)]. The only change in the organization of Provincial Civil Service is that the subordinate service should be encouraged by recruiting capable men from that service and the lists should be separately kept, *i.e.*—A. Probationary Deputy Collectors recruited from outside. B. Deputy Collectors from subordinate service. In the case of the latter the salary should in no case be below Rs. 250 and when they have passed the Departmental Examination no other test seems necessary for them.

[RAI BAHADUR NATTHI MAL, called and examined (through an interpreter).

46693. (*Chairman*) You are a merchant and a member of the Legislative Council?—I am a merchant and a member of the Legislative Council.

46694. What is your caste?—A Vaisya.

46695. What occupation do you follow?—I deal in cotton.

46696. You are an upholder of the present system and desire to see as little change as possible?—Yes.

46697. You do not favour simultaneous examination?—I think the present system is right and I do not want any change.

46698. You consider that a very small percentage of Indian officers are able to give satisfaction to the people whom they govern?—It is my daily experience that a great number of cases are transferred from the courts of Indian officers to European courts and that the Indian officers are not yet quite capable of good administration.

46699. At the same time you think that 20 per cent. of the places in the Indian Civil Service might be filled by Indians?—Some important posts must be specially reserved for Indians.

46700. Twenty per cent. may be occupied by Indians?—Yes.

46701. You would start some kind of

examination in India coupled with nomination?—If at all it is thought advisable by the Government that an examination should be held in India then the candidates for the examination may be nominated by Principals of Colleges.

46702. Would it be an examination for the whole of India or for provinces?—It would be separate for each province.

46703. You would include the listed posts in your 20 per cent.?—I would also promote the Deputy Collectors.

46704. Are the Deputy Collectors to be included as representing the listed posts in the 20 per cent. of Indians?—They may be included.

46705. You regard it as necessary that admission to posts in the Provincial Service should be reserved for the higher classes of the community. Whom would you include among the higher classes?—They should be men of good family and of high caste.

46706. Am I to understand that you would not like recruits to be drawn in any large numbers from the educated classes?—If the educated classes are of high caste and good family they may be taken; otherwise not.

46707. Should recruitment be restricted to that class?—Yes; to high families and high castes.

46708. You say that the Provincial Civil Service should be recruited from the subordinate service, but is not that already the case?—They should be included in two different lists. The men who are promoted from Tahsildars to Deputy Collectors are very poorly paid and their pay should be increased.

46709. You want their pay altered?—Yes.

46710. (*Lord Ronaldshay.*) When you say that a large number of cases are transferred from the courts of Indian officers to European officers, do you mean civil cases?—No, mostly criminal.

46711. But some civil cases too?—Very few.

46712. If you yourself had an important lawsuit coming on, would you prefer that it came before an Indian or a European Judge?—It does not matter much whether it is in a European court or Native court if it is a civil suit.

46713. But why are criminal cases transferred from Indian Judges to European Judges?—Criminal cases mostly depend on two witnesses; the evidence of two witnesses may put a man in jail. A Deputy Collector is generally in a hurry to dispose of a case and does it carelessly and unsatisfactorily.

46714. I take it from your answer to question (57) that you would be opposed to taking the magisterial functions away from the Executive officer?—What I have written on that point is quite correct.

46715. Under the present system the Executive officer has magisterial powers?—They should be separated.

46716. Do you think that the Collector of a district ought to be a Magistrate?—I think the functions should be separated.

46717. (*Mr. Fisher.*) Do you think that things should remain the same for ever?—I should like to have that question put in some more concrete form.

46718. (*Mr. Madge.*) In answer to question (18) where you were asked whether you consider it necessary that posts should be reserved by statute for officers of the Indian Civil Service, you say: "Yes, all posts the duties of which are of responsible nature which entails decisions upon questions of difference or quarrel between Hindus and Muhammadans." Are you aware that the Indian Civil Service may contain officers of any race?—As far as I know about my own province, only candidates of the higher caste go up for the Civil Service.

46719. In answer to question (28) you say that the progress of India greatly depends upon the British methods of administration and British ideas. Do you think it depends on the personality of the officer or upon the perfection of the machinery of the Administration?—The machinery cannot be so properly understood by an Indian as by a European.

46720. You say that it is your daily experience that a great number of cases are transferred from the courts of Indian officers to Europeans. Have you had opportunities of learning this from your experience or have you merely heard it?—I have often seen it done.

46721. (*Mr. Chaubal.*) Do you come into frequent contact and intercourse with European Civilian officers?—I do.

46722. It is from your intercourse and contact with them that you have answered question (36)?—It is from my own experience as well hearsay.

46723. Have you had any occasion to ask for the transfer of any case in which you were interested?—Yes.

46724. Was it granted or refused?—It was granted.

46725. Was it a difficult case?—No, not so difficult and I did not apply for it myself; it was applied for by the opposite party.

46726. Was it a criminal or civil case?—Criminal.

46727. Were you the complainant or the accused?—The complainant.

46728. Where was the case first filed?—It was filed in the court of the Deputy Collector.

46729. And the accused applied for the transfer to a European officer?—Yes.

46730. What was the ground alleged?—The ground was that the accused did not expect justice in that court.

46731. Was the Deputy Collector a friend of yours?—No, but probably the accused thought so.

46732. (*Sir Murray Hammick.*) With regard to the deterioration of the knowledge of languages you speak of, you are a member of the Legislative Council; do you not have to talk in Hindustani sometimes?—I have sometimes, but very rarely, have occasion to talk to them.

46733. Do not the European officers of the Civil Service on the Council understand Hindustani so as to know what you say?—Yes, they understand me.

46734. You are a friend of a great many Indian Civil Servants who are on the Council, I suppose?—Yes, I have friends among many.

46735. Do you not talk to them in Hindustani?—Yes. By deterioration I am simply referring to junior officers.

46736. The senior officers of the Civil Service talk Hindustani all right then?—They speak very fluently.

46737. (*Mr. Kanhaiya Lal.*) You have said that Indian officers are as a rule not possessed of good administrative ability. Does trade or commerce not require administrative ability?—It does.

46738. Is it a fact that many Indians are carrying on trade and commerce with ability?—Yes.

46739. Are there many banks and other trading institutions wherein Indians are carrying on administrative work with great capacity?—Yes.

46740. Are not the officers of the Provincial Civil Service, Executive branch, doing the administrative portion of their duties satisfactorily?—They are not doing it as satisfactorily as Europeans.

46741. Would the administration of justice improve if officers from the Provincial Executive branch were appointed District and Sessions Judges?—The country can gain both by appointing Europeans as well as Indians as District and Sessions Judges.

46742. Having regard to the comparative abilities of the Subordinate Judges and the officers of the Provincial Executive Service, would it advance the interests of the administration of justice if the officers of the Executive Service were appointed to District and Sessions Judgeships, either in the place of, or in addition to, Subordinate Judges?—I have nothing to say on that; the Commission must come to its own conclusion.

46743. (*Mr. Fasih-ud-din.*) Can you say whether the present system of appointing Sub-Judges as Criminal Sessions Judges without any previous criminal experience is satisfactory from the point of view of an Indian?—The system should be qualified. They should have some criminal experience before they are appointed criminal Judges.

46744. Do you know whether applications for transfer of cases from the court of Deputy Magistrates are numerous?—I cannot say whether the applications for transfer are numerous or only casual.

(The witness withdrew.)

SAIYID NABI-ULLAH, Barrister-at-Law, Vice-President, All-India Muslim League.

Written answers relating to the Indian Civil Service.

46745. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I do not regard the working of the present system of recruitment as satisfactory.

46746. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system is faulty because—

(*a*) The capacity to score marks in the examination is the only criterion of fitness.

(*b*) The place of examination is England only.

I would suggest the following alterations:—

(*a*) All persons should not be allowed to appear in the examination as a matter of right. Some system of nomination and selection should be introduced.

(*b*) Examination should be held simultaneously in India and England.

46747. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is not equally suitable for the admission of "Natives of India," I would recommend—

(*a*) Examination in India to be held simultaneously with one in England.

(*b*) Eastern classics should have same marks as European classics.

(*c*) Urdu, Hindi, Marathi, Tamil, &c., should be placed in the syllabus with the modern European languages.

46748. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is not, in my opinion, disadvantageous to Indian interests.

46749. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, because it fails to do justice to the claims of the two large communities inhabiting India, and shuts the door against their admission into the highest Service in the country.

I would propose the system of simultaneous examination in India and in England.

A common list should be drawn up and the first few from among the successful candidates ought to get appointments as a matter of right, whilst from the rest selection should be made, keeping in view the necessity of adequate representation in the public service of important communities. No selection may be made from below a line to be drawn in the list of candidates. Those below the line may be considered incompetent.

This system, I am persuaded to think, would make very little difference in point of intellect among candidates whose results would vary only by a few marks and give satisfaction to the people of India.

46750. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of a system of simultaneous examinations in India and England open in both cases to all natural-born subjects of His Majesty.

46751. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of

provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of this view. Separate examination in India would brand the men coming under it with a distinctive mark and the officers thus selected will be looked down upon as belonging to an inferior class.

46752. (8) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—As I approve of simultaneous examinations I am not in favour of this view.

46753. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India, in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I am not in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, but if this system were to prevail I consider that Natives of India should still be eligible for appointment in England.

46754. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I would recommend a large number of Judgeships to be given to members of the Bar, say one-third.

I would make it compulsory for every member of the Indian Civil Service to do Munsif's work.

Every Civilian who is to be a Judge should be made to do a Subordinate Judge's work, before he is given a Judgeship.

One-third of the Judgeships to be given to them.

The remaining one-third to go to the members of the Provincial Service.

46755. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.—I am satisfied with the present age limit, 22—24.

Reasons—

(*a*) Candidate, in most cases, will be a graduate of an University, a very distinct advantage.

(*b*) He will have passed a Law examination if so inclined.

(*c*) He will have seen something of the world and will not easily lose his head by acquiring power at an early age, and will be more conscious of his responsibilities.

46756. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—25 years or 26 years.

46757. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—Age (22—24) given in answer to question (13) would best suit Natives of India.

Reasons given there would apply to Natives of India equally.

Differentiation in age will be an invidious distinction.

If other natural-born subjects of His Majesty for some reason require lower age-limit for themselves, I would still recommend that the present age limit, 22—24, be retained for Natives of India.

46758. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I would recommend Persian, Bengali, Urdu, Marathi, Tamil, Telugu, to be included in the syllabus. I would allot the same marks to them as to Italian. I would recommend Arabic and Sanskrit to be allotted same marks as Latin and Greek.

46759. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation is desirable.

46760. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Certainly not.

46761. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Natives of India may be admitted to half the posts included in the Civil Service cadre.

46762. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No.

46763. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I do not consider that the old system of appointment of Statutory Civilians under the Statute of 1870 should be revived.

46764. (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I will not advise the introduction of such a system.

46765. (23) Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment

of selected officers from other Indian Services?—If such a system was to prevail, it should extend to the recruitment of selected officers from other Indian Services.

46766. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I approve of the system.

46767. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—I am not aware of this rule. If there is such a rule, I am not satisfied. I consider that the listed posts are too few to be distributed to others besides members of the Provincial Civil Service.

46768. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

46769. (30) If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years or even one year. Those that are not Natives of India should spend their probation period in India and should devote themselves to studying Indian constitutions, Laws, History, customs, and institutions and the language of the province to which they are allotted.

Special arrangements should be made to teach them to treat Indians properly. This last is very necessary, for the English Civilian appears to leave his manners at home as unnecessary luggage—not wanted in India.

46770. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—If simultaneous examination is approved, then candidates who have passed in India should spend their probation period in England learning customs, manners, institutions, etc., of that country. Special arrangements should be made for them to be introduced to good society in England. They may be taught Indian constitution and Indian History or even English History there. It is essential that Indians should learn English ways of looking at things also.

46771. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I have anticipated answer to this question in my answers to questions (30) and (31).

46772. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No, I do not think it desirable to start a college. I think that these probationers should be spread in as many centres as possible and should be brought in contact with Indians as much as possible. I would recommend arrangements being made for them in residential colleges, such as Aligarh or Benares.

46773. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No. I would have them at different centres in different provinces.

46774. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Subject to what I have said above, no change need be introduced.

46775. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—There has been a distinct deterioration in the knowledge of the Indian languages possessed by the English members of the Civil Service.

Causes appear to be—(i) Want of inclination on their part to take any but superficial interest in Indians and their affairs. (ii) They being in a state of isolation from the Indian community, and having no sympathy with it. (iii) Perhaps pressure of work. I am not satisfied that European members attain to an adequate proficiency in the study of the Indian languages. Obviously the remedy is that they should be compelled to study more.

46776. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—I have stated in my answer to question (11) that all Civilians should be made to do Munsif's work and those who are selected for the Judicial branch should be made to do Subordinate Judge's work. The matter should not be left to their inclination, but some days in a week should be set apart for civil work.

46777. (38) Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—In my answer to question (30), I have indicated that selected candidates should be made to learn Indian law during their period of probation. If they have learnt some law at that early stage and then have to work as a Munsif and those officers who are selected for the Judicial branch have to work as Subordinate Judges, then I think no special course of study in law is needed. All this would, in the ordinary course, suffice to make them good Judges.

46778. (40) Is any differentiation desirable in the system of training after appointment

in India between members of the Indian Civil Service, who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think any differentiation is required or is desirable, after the differentiation during probation which I have stated in answer to questions (30) and (31).

46779. (43) Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions?—Please see my answer to question (30). Something must really be done to train European members of the Civil Service in good manners. Their treatment of Indians is cause of great discontent for the latter. If the Indians are treated properly, I am of opinion that they would be quite prepared to forego a great many of their rights.

46780. (45) Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation allowance should, in my opinion, be unconditionally abolished. Such abolition should not affect vested interests but be restricted to future entrants.

46781. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I think they should draw full pay and not two-thirds only.

46782. (48) Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—No.

46783. (49) Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—No.

Written answers relating to the Provincial Civil Service.

46784. (51) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have no recommendations to make for their alteration.

46785. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

46786. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—In my province the Muhammadan community is not duly represented in Judicial Service. It is desirable that they should be duly represented.

The names of candidates applying for Munsifships are entered in a register. Instead of giving appointments in serial order, candidates should be appointed with a view to due representation.

46787. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I am satisfied.

46788. (56) Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—In Judicial Service the numbers of officers authorized for the various grades should be raised by at least 50 per cent. The work at present is more than they can satisfactorily perform. With a view to remove the block in the promotion it may be desirable to increase the number of appointments in the higher grades, by doubling the number.

46789. (57) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—Officers of the Judicial branches of the Provincial Civil Service try only civil cases and those of the Executive branches, besides doing executive work, try criminal and rent and revenue cases. A change is desirable. Executive officers should be relieved of all criminal work and possibly of rent work and should be confined to executive and revenue work.

46790. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I am quite satisfied with the designation.

46791. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Munsifs should begin service on a salary of Rs. 250, same as the Deputy Collectors, and a Subordinate Judge of 1st class should draw a salary of Rs. 1,000 instead of Rs. 800.

46792. (61) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not approve of this arrangement. Officers of the Provincial Civil Service holding listed posts should draw the same salary as is drawn in the same posts by members of the Indian Civil Service.

46793. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—No.

46794. (65) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—Munsifs should start with same pay as Deputy Collectors, namely Rs. 250. The salary of a first-class Subordinate Judge should be Rs. 1,000 and not Rs. 800 as at present. This point is included in my answer to question (60.) I have no other proposals to make.

SAIYID NABI-ULLAH called and examined.

46795. (*Chairman.*) You are a Barrister-at-Law and Vice-President of the All-India Muslim League?—I am.

46796. And you are a graduate of Cambridge University?—Yes. I am also an Ex-President of the Muslim League, and I presided over the annual session held at Nagpur in December 1910.

46797. In your answer to question (5) you say that you are in favour of a system of simultaneous examination in England and in India, but you would modify it to the extent that you would only select the first few from amongst the successful candidates, whilst from amongst the rest, who had obtained marks above a qualifying pitch, you would select according to communities?—Yes.

46798. Do you think you would be able to keep up a system of this character permanently, and with satisfaction to the country?—To the satisfaction of my community anyhow. This is with respect to the due representation of communities, and of course the other communities will object.

46799. I take it that as regards this point you are speaking for the All-Indian Muslim League?—It is the general opinion of the Muhammadans in this country.

46800. You regard unreserved simultaneous examination as a method of selection which would be injurious to the Muhammadan community?—Opinions are divided on this point. If this qualification is not introduced some people are of opinion that there should be no simultaneous examination, and others are of opinion that the Muhammadans have no business to be dogs in the manger and that they should not stand in the way of other communities.

46801. Which system do you think is the more popular among the Muhammadans, the one where safeguards are introduced in the interests of Muhammadans, or the one where Muhammadans have to take their chance with the rest of the community?—My opinion is that the latter is the more prevalent. Of course it will be impossible to say, having no statistics, but I believe that gradually the Muhammadans are coming to this view, and there are a larger number to-day for simultaneous examinations.

46802. You think a larger number of Muhammadans hold a view contrary to your own—Yes.

46803. You would be prepared to put a limit to the number of Indians who should get in under your system and fix the figure at a half?—Yes, 50 per cent.

46804. In order to attain your objects, namely, to secure due representation for Muhammadans and also to restrict the number of Indians, you will have in effect to adopt a separate examination?—I do not think so.

46805. Would not your scheme for simultaneous examinations with one list produce great complication and ultimately considerable dissatisfaction?—I do not think there is any complication in my system.

46806. Would you not expect dissatisfaction to arise if a few years after the examination had been established candidates were passed over by those who had got less marks?—I do not think so. Once the rule is set I think people will accept it.

46807. Do you not think that the danger might be averted by an examination different in form from the one you suggest?—No.

46808. You do not think the proposal you make would produce the maximum of dissatisfaction?—I do not think so. I understand there is some sort of system like this in vogue in England. Every candidate as a matter of course does not pass into the Navy or Army.

46809. I have not heard of it in connection with the Army?—Perhaps the Navy only.

46810. Have you heard that unsuccessful candidates in the Army examination are put over successful ones?—It is not a question of successful or unsuccessful. There are minimum passing marks.

46811. I think you are speaking under a misapprehension?—I may be wrong there, but I think I am right with regard to the Navy.

46812. In the Army appointments are given in accordance with the list?—My point is that there is no question of passing or failing. Under the present system a list is prepared of all the candidates that have appeared in the examination. Sixty we will say are wanted and the first 60 are taken, so that nobody has passed and nobody has failed. I would suggest that the first ten or five may be taken as a matter of right; if they top the list they have a right to come in.

46813. The first five out of the 60?—Say there are 200 candidates for 60 vacancies, then out of the list the first ten may be taken, or the first five, as a matter of right. They need not be excluded even though the number allotted to a certain community has been filled up. With regard to the rest, I suggest that a line be drawn from below which no candidate should be taken. Supposing the line is drawn at 80 then from the candidates above the line, selections should be made having regard to the due representation of communities. My idea is that the difference in marks, say between the sixtieth candidate and the sixty-fifth, will be so very small that it may be ignored altogether. Once the system is understood by the country I think they would accept it.

46814. The first ten would go in in accordance with their marks, and then numbers 10 to 80 would be open to nomination?—Open to selection. If five Muhammadans are to be taken in, the Muhammadan may be seventy-fifth and number seventy may be a Hindu and the Hindu will be passed over in favour of the Muhammadan.

46815. Where would the European come in?—Supposing there are 30 places allotted to Europeans, if the 30 Europeans had not come in in the serial order of merit then we shall have to go below the sixtieth to the eightieth to find if there are other Europeans who can be taken in to make up the number.

46816. The European would come in along with the rest in the first ten?— Yes.

46817. After that he would have to take his chance with the rest?— You will have to make up the number.

46818. He will be selected by some individual?—Yes. If the European number is not made up Hindus and Muhammadans will have to be passed over in favour of Europeans standing below them.

46819. You think it will be a simple and a satisfactory process?—In my humble opinion it will be quite satisfactory.

46820. You would also give one-third of the Judgeships to members of the Bar, and one-third to members of the Judicial branch of the Provincial Service?—Yes.

46821. How would you select your members from the Bar? Would they be subjected to an examination?—They have already passed an examination and I would not subject them to any examination at all. They would be recommended by the highest Judicial authorities. In this province, they would be recommended by the Judicial Commissioners and in Allahabad by Judges of the High Court.

46822. You are relying a good deal more on nomination than on examination, are you not?—I think I have introduced very little nomination.

46823. You would select men from the Bar by nomination?—Yes, in this particular branch.

46824. And your other scheme would be for nomination?—I do not think so. There is a list of candidates and we select from them. I do not call that nomination.

46825. You use the word selection?—Yes.

46826. I can quite see the object which you are trying to attain, but it strikes me that the method might be somewhat complicated and lead to dissatisfaction?—I do not think it would.

46827. If it was found that the European age-limit had to be reduced would you retain the present age-limits for Indians?—I would. If it is said that the age is not suited to Europeans, let them have a lower age if they like.

46828. You do not think a lower age-limit would be suitable for Indians?—It will not be suitable at all.

46829. Supposing an age-limit could be arranged which would enable the Indian to pass his B.A. degree, would you still say it was unsuitable?—Yes. I would not lower the age for a B.A. degree, because the standard of education would be lowered.

46830. You would not like to see Matriculation at 15 instead of 16?—No. If a boy passes his B.A. at the age of 18 the examination will be called a B.A., but the standard of education will not be the same as now.

46831. You think that a scheme could be devised by which different ages could be fixed to meet the necessities of Europeans on the one side and of Indians on the other?—That may or may not be so, but assuming the Europeans think that the present age is absolutely unsuited to them then I would let them have their own age, making it lower if they liked, and coming straight from the public school.

46832. You think a lower age is absolutely unsuitable for Indians and therefore you prefer to have an older age for them?—Yes. I attach very great importance to a University education both with regard to the Indian and the Englishman.

46833. How many years would you like to see men spared at a University?—A three years' Honours Course in England and four years here. The students go to Oxford or Cambridge at 18 and come out at 21. Here they go at 16 and come out at 20.

46834. You set great importance on the Indian going through that course too?—Yes, very great importance.

46835. You set importance also on a period of probation for the Civilian in this country?—Yes, but not of course to that extent. If there is a choice I would say complete the education in the University, and if it cannot be arranged that there should be a period of probation here come out and join at once. Sacrifice the probation to the University career.

46836. You do not think it so important that a young Civilian should have a period of probation in this country prior to his taking up his work?—If it is a choice between the two I should say go to the University.

46837. But you would like to see both?—Yes.

46838. In what way have you been brought into close contact with members of the Civil Service?—I see them in court and at functions and sometimes at their houses.

46839. Have you travelled a great deal about India or have you confined your work chiefly to this province?—My work is confined to this province, but I have travelled.

46840. I am asking these questions because I should like to know upon what ground you make the very sweeping statement about the gentlemen which you have made in your answers?—It does appear to be sweeping.

46841. I should have thought it was almost an unnecessary statement to make in an enquiry of this character. You say in answer to question (30) "Special arrangements should be made to get them to treat Indians properly. This last is very necessary, for the English Civilian appears to leave his manners at home as unnecessary luggage—not wanted in India?"—It is very strongly worded and perhaps there is no occasion for it, but none the less I feel it. I should not have expressed myself in that way, but it is my real feeling.

46842. My colleagues and I deprecate very much a language of this character: it is perfectly useless to us from the point of view of the enquiry and can only lead to harm if we probe into it?—I am sorry for it.

46843. I take it you have based your rather emphatic and sweeping language on certain isolated instances which you have come across

in the course of your experience?—I would not say it was sweeping language, but I would admit that I have put it more strongly and emphatically than perhaps I should have done.

46844. I do not think I need discuss that point further. You say in your answer to question (54) that your community is not duly represented in the Judicial Service. Can you give us any figures in support of the claim which you put forward?—I have not the figures, but I think it is a fact. The remedy I have suggested is that, instead of taking the candidates in serial order, a list is now prepared of those vakils who apply for Munsifships and they are given appointments in their turn. The seventh man comes seventh, my suggestion is that this serial order should not be kept in view always with regard to the due representation of communities. Some have now to go out being beyond the age-limit.

46845. You regard it as important from the point of view of efficient administration that your community should be adequately represented in the Judicial branch?—Yes.

46846. And also from the point of view of general satisfaction among the Muhammadan community?—Yes.

46847. You are in favour of the listed post officers obtaining full pay?—Yes.

46848. You would suggest that the listed post officer should become a full Indian Civil Service officer?—I have no opinion to offer one way or the other. It is more a question of sentiment.

46849. All you desire is that, if they do the same work, they should draw the same pay?—Yes, they must be paid according to their work.

46850. *(Sir Murray Hammick.)* When you say that you would like to see representation of important communities, what communities are you actually referring to? I suppose Muhammadans to begin with?—Yes. We have a way of putting it in general form, but we always mean the Muhammadan community.

46851. Would you divide the Hindus into any special communities or simply look upon the Hindus as one community? This Committee of Selection would not make any difference whether the man who got into the service was a Pariah or a Brahmin?—No, but of course there is that point to be considered, that the untouchable classes will not be classed as Hindus when considering the number that is to be allotted?

46852. Will the Selecting Committee take notice of Indian Christians?—Yes.

46853. Would they notice whether there was a proper number of Indian Christians in the Service?—Yes, but I think they are a negligible quantity.

46854. They are not negligible; there are a good many Native Christians quite educated enough to get into the first eighty of the Civil Service examination. Would you class them as Hindus?—No, they would be a separate class.

46855. The domiciled European and Anglo-Indian community would be a separate class again?—Yes.

46856. And they would require to be represented occasionally?—Yes.

46857. And the Parsis?—Yes.

46858. Do you count the Burmese as Indians or would you require a Burman to come in as a separate community, as a Buddhist?—If a Burman does come in at all he would come in as a Hindu, as a Buddhist, and Buddhists I class among the Hindus.

46859. You would have Muhammadans, Parsis, Native Christians, Anglo-Indians, and the domiciled community, but not Burmans. What about Sikhs?—They would be Hindus.

46860. The untouchable class would be a separate class?—Yes.

46861. The Selecting Committee would not have anything to do with choosing Europeans who had passed in the open examination in England? They would come in as a class by themselves. Do you wish selection to be made in England?—They would come in as one class.

46862. Supposing the first ten were Europeans, then from the tenth man to the eightieth man if there were sixty vacancies you would have to choose twenty Europeans and the rest would come in from these various classes at the option of the Committee?—There is no difficulty at all: it is a mechanical system.

46863. Supposing the eleventh man was an untouchable, would you give the Selecting Committee a perfect right to bring him in in any case or leave him out?—Yes.

46864. They might say that it was not desirable to have him in the Civil Service and might leave him out?—Yes.

46865. How is the Selecting Committee to be formed?—The Civil Service Commissioners.

46866. The people in England?—Yes. This being a mechanical thing I think any clerk ought to do it. He has got to take up five Muhammadans from the list and ten Hindus and twenty Europeans in serial order.

46867. Who would select them?—That will have to be fixed beforehand.

46868. Who is to fix it?—The authorities.

46869. Is the Government of India to say they want five Muhammadans, ten Hindus, one Christian, and one untouchable?—Yes.

46870. Then there would not be much trouble for anyone to do it afterwards. The Government of India would say they wanted so many of each class and then the Civil Service Commissioners in England would do their best to get them out of the first eighty?—Yes. The Government of India will send up a requisition that they want so many of each class.

46871. Do you think the Government of India will like this task of having to say how many Sikhs, Muhammadans, Christians, and this and that class, are wanted for the administration in India?—They have done something very similar to this when they have said there should be so many Muhammadans on the Local Council or on the Imperial Council. When issuing circulars they say that appointments should be made with due regard to the representation of the communities. I do not see the difficulty.

46872. It is really a selection by the Government of India then?—Yes.

46873. In your answer to question (16) you suggest that Persian, Bengali, Urdu, Marathi, Tamil, and Telugu, should be included in the syllabus?—Yes.

46874. Do you mean that to be a complete list?—I should have put in the word "et cetera."

46875. You have included two Madras languages for instance? Are you going to include Malayalam?—I am not in a position to pass an opinion on that. I mean a language extensively spoken.

46876. That language is spoken widely in two districts. Is that enough to let it in?—I am not in a position to say.

46877. It is very important because a great many of the highest classes of educated Indians come from those districts. Is a man who lives in a district and speaks this language as his vernacular from his babyhood to be allowed to take it up as a language in the Indian Civil Service competition?—So long as the Englishmen are allowed to take up English as one of the subjects I think these people should be allowed to take up these dialects as subjects.

46878. Surely it would be simpler to say every man may bring up his own vernacular?—I do not say that. I say certain vernaculars, which are extensively used and which possess a literature, should be placed in the syllabus.

46879. You do not include the Burmese language in this list?—I have not made a complete list but only given my opinion as to what should be done. It may be that only three languages will be decided by the Commissioners. If the Commissioners find that Urdu is spoken by so many then they may decide to take it in; or Bengali for instance; I understand there is a large literature there and that it is spoken by a very large number of people, and the Commissioners might take that in. I am not pretending to give a list of all the dialects.

46880. It would not make any difference what the literature was or what state the language was in or what class of language it was?—It would make a difference. The selection should lie with the Commissioners; if they find a language extensively spoken with a sufficient amount of literature it should be placed in the syllabus.

46881. With regard to question (18), why are you so very definitely of opinion that no appointments should be reserved for the Indian Civil Service?—From what I have gathered from the various Proclamations I have never got into my head the idea that any posts of any kind ought to be reserved for any community whatsoever. I understand that all British subjects are on one footing.

46882. I do not see what that has to do with the question. The Government say that one department of the Civil Service shall do certain work, obviously with the idea of making that service attractive for recruiting. Why is there anything objectionable in making that rule?—I am afraid I misunderstood the questions. I thought I was asked whether certain higher posts should be reserved for any particular community, for instance the Lieutenant-Governorship, the Board of Revenue, the Governor-General's Agent, and so forth.

46883. It is not for a community but for the Indian Civil Service. Certain duties are reserved for the Indian Civil Service and certain appointments. There is nothing said in the question about communities?—I am absolutely mistaken there.

46884. You have no objection to a reservation of a certain number of posts for the Indian Civil Service?—No; I entirely misunderstood the question.

46885. Why do you wish that the rent work should be taken away from the Civil Service officer?—I am afraid I have formed rather a bad opinion of even the rent cases that are decided by the revenue courts. I am of opinion that the Judicial officers on the Civil side, Munsifs and Subordinate Judges, will do them much better. That is why I say it would be more satisfactory to the country if these cases are decided in a more proper and systematic manner, as all cases are decided by Munsifs and Subordinate Judges.

46886. You do not refer to settlement work?—No.

46887. Only rent cases?—That is all. Settlement work is really revenue work.

46888. With reference to your answer to question (30), are you really thinking of the Civil Service when you say there is a want of manners or are you thinking of Europeans generally in this country?—Europeans generally and Civil Servants in particular, because we come across a great deal more Civil Servants than other Europeans.

46889. (*Mr. Chaubal.*) How many Indians are in the Civil Service at present throughout India?—I have not got the figures in my head, though there was a note prepared by the Secretary of the Muslim League some months ago.

46890. My impression is that the total number is 56. Do you know how many of these are Muhammadans?—Very few I am afraid.

46891. What is your impression of the total number of Muhammadan Indian Civil Service men in India?—I have not the figures with me.

46892. My impression is that there are nine.—I will accept it from you.

46893. Do you think that is disproportionate, 9 out of 56?—Yes.

46894. That leaves 47; 9 Muhammadans and 47 of other communities. You think that is disproportionate?—Yes.

46895. You mentioned six or seven communities just now: what would you call due representation of them?—I do not mind admitting at once that according to my way of thinking this is a very weak position we have taken, but still the Muhammadans do claim a share and a larger share. They would like to have half the appointments.

46896. Is there any justification for supposing that they are not having or have not had their due share yet? I quite agree with you that in days to come they will perhaps get much more, and that the agitation will have to be the other way, and that the Hindus might perhaps be in a position to ask for selection of Hindus in preference to Muhammadans; but taking facts as they stand at present, is there any justification for the complaint that there is no due proportion of Muhammadans in the Indian Civil Service?—There are, we will say, 30 crores of His Majesty's subjects here, and we say that between six and seven crores should be out of the calculation altogether, not only because they are untouchables, but because there is no education whatever in them. That leaves about 24 crores.

46897. Has this question of representation in

the Indian Civil Service anything to do with the general population or has it to do with the educated portions of the communities?—We say it ought to be with the general population.

46898. Is that fair?—Having no statistics of the educated population it is very difficult to calculate otherwise.

46899. Have we no statistics of how many B.A.'s are in India?—We have.

46900. When you are speaking about persons appearing for the Indian Civil Service examination, is it not fair that that should be confined to the due representation amongst the educated classes in each community because the non-educated classes are not able to appear for the examination? The educated classes are the only people we are concerned with, because you make it a standard that none but B.A.'s shall appear. If you take education in a lower standard I have no objection, but if you say a man must be a B.A. before appearing for the Indian Civil Service, if you want proper representation you have to take representation by B.A.'s?—That is what we do not take. We say we are one-third or one-half of the population, excluding the lower classes, and then we say we ought to have one-third share in the appointments. We do not say there are one hundred Hindu graduates and five Muhammadan graduates and that therefore there should be one hundred Hindu appointments and five Muhammadan appointments.

46901. How many Law graduates are there among the Muhammadans in this province?—I do not know.

46902. Why do you say that in this province the Muhammadan community is not duly represented in the Judicial Service?—I mean in exactly the same manner. We think that having regard to our importance we should have half the places.

46903. But whose fault is it?—The fault is ours.

46904. You surely do not mean that the standard for recruitment to the Judicial Service should be lowered?—Not at all. The point I make is simply this: there are so many qualified men and each of them is fit to be a Munsif we will say . . .

46905. I quite see that. You have cut the ground from under me by saying that you do not know the number of Muhammadan graduates. Are there cases of Muhammadan graduates in Law who have applied for Munsif's places and have not got them?—There may be. If they can get employment within the age-limit I have no complaint to make that anybody has been excluded. I do not look to the number of graduates of the various communities.

46906. Have you instances of Muhammadan graduates in Law who have applied for employment in the Judicial Service and are not employed?—No. He is always put into the register and if his turn comes in time he will get it.

46907. (*Mr. Madge.*) In answer to question (11), you say: "I would make it compulsory for every member of the Indian Civil Service to do Munsif's work. Every Civilian, who is to be a Judge, should be made to do a Subordinate Judge's work before he is given a Judgeship." Is not the trial by a Magistrate of any class of cases a judicial function?—Of course it is.

46908. Consequently the Magistrate has a *quasi*-judicial character?—Yes.

46909. You want every Magistrate in the Executive Service also to be made to do some civil work?—Yes.

46910. It really seems to me to mean that the two classes, the Executive and the Judicial, should repair some of their defects, the one by becoming acquainted with Criminal Law and the other by becoming acquainted with Civil Law?—I do not say anything about anybody becoming acquainted with Criminal Law.

46911. Is it not a reasonable inference from these two propositions?—I do not think so. I only say that the members of the Indian Civil Service should be required to do civil work. Every member should be required to do some work which is done by a Munsif, and every Civilian who is going to be a District Judge should be made to do higher civil work, that is to say, Subordinate Judge's work.

46912. Does not that mean that one side should repair its defects in the knowledge of Criminal Law and the other side repair its defects in the knowledge of Civil Law?—I am only speaking of the executive man. A man passes the Civil Service examination and becomes a Collector and Commissioner or a Judge. The man who is to be a Judge should be made to do Munsif's work. It is good for him in every respect. The man who is going to be a District Judge must do for two or three years Subordinate Judge's work. I am not touching on the question of whether the Munsifs and Subordinate Judges should be made to do criminal work or not.

46913. You think this arrangement is possible without any duplication of officers?—I think so, especially in view of my suggestion that rent cases should be taken away from these officers.

46914. Do you want an entire separation of the Judicial from the Executive?—I do.

46915. At what period of a Civilian's career?—I have no suggestion to make as to the particular period.

46916. With regard to the trial of revenue cases in civil courts, you are doubtless aware that in Bengal cases were taken away from revenue officers and made over to the civil courts?—Yes.

46917. And were sent back to the revenue courts again because the Government thought it would be better done in that way. Rent cases are trials between two parties in which the Government has no interest whatever except to see that justice is done. Considering that the Government tried the civil courts and went back to the revenue courts for rent work, why do you want to go back to an experiment that was tried and considered a failure?—I was not looking at this matter from that point of view at all. I was looking at it from my own particular experience here, that these rent cases are not tried so efficiently by this department as they would be tried by Munsifs and Subordinate Judges.

46918. In spite of their greater familiarity with the whole revenue system in which they have no personal interest except to see the cases

decided ?—It is more a question of the ability of these officers. I do not think that they pay particular attention to the procedure or law of evidence here, and other laws which apply even in rent cases.

46919. In spite of their previous training in *quasi*-judicial functions ?—Yes, it is not the same standard.

46920. You have come to that opinion from your personal experience ?—Yes.

46921. You object to a college of any kind in India ?—Yes.

46922. So far as there may be any want of mutual understanding between Europeans and Indians, you do not think that might be amended by a college in which they met together as fellow-students ?—No. I would not have a separate institution. I would send them to one of our bigger colleges here and make some sort of arrangement and ask them to mix freely with the staff.

46923. Do you think their coming out earlier in life or later in life has any bearing on this want of mutual understanding ?—I do not think that the age has any particular bearing. If a man comes at the age of 24 or 25 he has had the benefit of a University education and has a wider knowledge and wider sympathies, and I think is more likely to take greater interest in our affairs and treat us more sympathetically than a young man coming at an earlier age.

46924. You refer rather doubtfully to the pressure of work : you do not think there is any great pressure of work ?—I think if a man has sufficient interest in anything he does it, and pressure of work has nothing to do with it.

46925. Do you think there is not a great pressure of work ?—I do not think so.

46926. That they are not overworked or under-manned ?—No.

46927. (*Mr. Fisher.*) Have you ever tried to think out what would be the ideal course of education for an Indian member of the Indian Civil Service ?—He ought to graduate, I think, and graduate with honours.

46928. What subjects would you recommend an Indian student to study between the ages of 16 and 23, in order that he may be the most effective member possible of the Indian Civil Service ?—Mathematics and English.

46929. You think Mathematics important for administration ?—No, but for general culture. I would make a man generally intelligent.

46930. Would you subscribe to the proposition that an Indian who has gone through a course of humanistic studies, a course of Western literature, Western history, Western thought, is more likely to work in with the European system in India than a student who has gone through a course of abstract subjects such as Mathematics and Physical Science, which have less relation to the passions and emotions of man ? In brief, do you think that an Indian member of the Civil Service would be better trained for his work by a course on what I may call the arts side than by a course on the mathematical and scientific side ?—On the mathematical side he would be a more intellectual man and a more cultured man.

46931. You recommend a very large extension of Oriental subjects in the Indian Civil Service examination. Do you think that that is the right direction at the present moment to give Indian University culture ?—Yes.

46932. You think it is necessary in the Indian Universities to fortify the study of the vernacular languages ?—Yes.

46933. You do not think it would be better for the training of the future Indian Civil Service man to fortify the study of Western culture and Western languages ?—If the two can be combined so much the better.

46934. You propose that the Indian Civil Service man passing the simultaneous examination in India should go to England to take a course at a University ?—Not necessarily at a University, but I propose he should go to England.

46935. What subjects would you wish him to study in England ?—I really do not send him for study at all ; I send him to widen his outlook and to look at things from the European and English points of view. He can go on reading some subjects, but it does not matter what.

46936. Do you think he would be better or worse prepared by this course of Western discipline in Europe if his previous studies had been Telugu or Tamil or had been a study of English literature, English history, and Western Philosophy ?—English History and English literature are not to be dispensed with and never will be. It is not a question of Tamil or Telugu, pure and simple. He must know the classical languages of the East and the dialects of India. If he knows both he is a better man when he goes to England.

46937. You will admit that an Indian member of the Civil Service having to administer the European system in India is required to adapt himself much more closely to Western ideals than an ordinary Indian citizen ?—I admit that, but I should like to point out that the European system has become an Indian system now. It is not a foreign system to us at all.

46938. You are asking the Indian candidate for the Indian Civil Service to undergo a very special and very difficult form of training, are you not ?—No.

46939. He has to fit himself to be a member of a service carrying out a European system in India ?—I have pointed out that the European system is now an Indian system. The system was introduced by the English, but I do not call it now an English system.

46940. A system based on Western principles ?—That is so.

46941. If you gave great stimulus to the study of the vernacular languages in the Indian Universities would you really be giving to your intending Indian civilian the best preparation for his subsequent career ?—Not absolutely the best, but the best possible. I would like an Indian to be able to talk German as well as the German does, and even Russian and Spanish and Portuguese, and to know his own language at the same time, but all that is not possible.

46942. I understand that he must have a minimum knowledge of the vernacular. You were a graduate of Cambridge University ?—Yes.

46943. Do you think you profited by being at Cambridge?—A great deal.

46944. Do you think young Indians going to English Universities now are continuing to profit?—I do not think they profit to the same extent. In my days, 25 years ago, we were treated differently, and we had more chances and opportunities of mixing with the best of the English people.

46945. You think they are not treated as well now?—I am told so.

46946. Do you hear that from good authority?—Yes. Those who return from Cambridge always say it is not the same thing as it used to be in my days.

46947. Do you think they benefit intellectually?—Intellectually they probably benefit more. I am not talking of their learning.

46948. If you were advising a young Indian as to his course in England would you advise him to go to England at 19, 20 or 21, or what age?—The question would be, what he has to do there.

46949. A course of Western study?—If he can afford it, if money is no object to him, I should tell him to pass his B.A. and then go.

46950. (*Mr. Macaonald.*) I should like to ask you about your general position now regarding the representation of communities. From the questions that have been put to you, you have seen the morass of difficulties into which you get when you begin to think of community representation?—That is so.

46951. Do you generally admit that once you begin to try and select the Indian Civil Service from a community point of view you get into difficulties that are almost insuperable?—I have already pointed out that I thought it is rather a weak case for the Muhammadans.

46952. Do you think that the difficulties that any body of men, assuming they were sympathetic to the Muhammadan view, would get into as soon as they began to try and carry out the Muhammadan view are almost insuperable?—I do not think so.

46953. The fitting-in of the various castes of Hindus, the deciding on the proportion of Europeans, the decision as to whether a Burman is a Hindu or not a Hindu, and all that; you do not think that that task is really one that can hardly be faced successfully?—In the interest of my community I expect the governing class to undergo this trouble and discover some sort of method of giving my community due representation.

46954. But you admit you put the governing class on a very high intellectual plane in order to do that?—Yes.

46955. In administration the individual man, whether he is a Hindu or Muhammadan, takes a district: what difference does it make to the administration say of a Bengali in the Punjab whether two districts away there is a Muhammadan officer or an English officer. He administers from his own point of view and in the very best way, and the general effect upon the community is not influenced by the fact that a hundred miles away there is a Muhammadan officer?—The Muhammadan officer is not to protect his interest, but it is some consolation that there is a Muhammadan officer of a district a hundred or two hundred miles away.

46956. You mean that a Hindu becomes acceptable to a Muhammadan if a Muhammadan knows that a hundred miles away there is a Muhammadan officer working at his duties in the district?—I think so.

46957. The thing that struck me was that in executive work everything depends upon the individual, whilst in legislative work everything depends upon the representation of communities. But you apparently do not take that view?—No, I do not.

46958. Would you say that generally the ideal of Indian education must be that when a young man gets his B.A. degree he ought to go to Oxford or Cambridge or an English University to complete his education, or that there ought to be in India a complete system of education?—We are trying for the latter.

46959. You are as a matter of fact trying to do it?—The Muhammadans are trying to have a University of their own.

46960. Are you going to say to the graduates of that University that they ought to go to England to complete their education?—We should tell them they need not go to England as we can give them a complete education from our point of view.

46961. From the point of view of the Indian Civil Service are you going to continue to make it a condition of your various suggestions you have here that if the Indian candidate has passed his examination, or before he has passed his final examination, he must go to England?—I am afraid I would make him go.

46962. You would still continue to make him go?—Yes, because book education or even University education is not everything. I should like him to go to England and look about him and widen his views. The University education in India, even the Universities the Hindus and Muhammadans are trying to have for themselves, will do all that is possible, but when the man is appointed to the Indian Civil Service I would like him to go to England for a short time, even if only for twelve months, because I want him to get the English way of looking at things also.

46963. It is not for the purpose of continuing his education?—Not at all.

46964. But for the purpose of giving him an opportunity of getting that sort of polish on him after his education has ended?—Yes.

46965. That is your view of the preparation of an administrator, whether Hindu or Muhammadan?—Yes.

46966. (*Mr. Abdur Rahim.*) Your scheme is not a pure competitive system but a modified system?—That is so.

46967. In the first place you would have a qualifying examination?—No.

46968. I thought you said that those who failed to secure a certain number of marks would be rejected from the list altogether?—That is the final Indian Civil Service examination.

46969. But it would be a qualifying examination in the sense that those who failed to come up to a certain standard would be altogether

rejected as unfit?—I am talking of the present examination.

46970. I am talking of your system?—My system of examination is the same as that of to-day.

46971. But the present examination is a competitive examination with no minimum qualification. What you suggest is that there should be a minimum qualification?—In order to make the selection.

46972. And those who do not come up to that minimum qualification will be kept out of the list altogether?—Yes.

46973. I take it that you would not, in your desire to have due representation of communities, take everybody? Whether Hindus or Muhammadans or Europeans, those who fail to obtain a certain number of marks will be rejected?—Yes, they must be rejected.

46974. And those who have passed you would put upon a list?—Yes.

46975. Taking your own figure of 80, you will assign marks to the first few in order of merit?—They will be all in order of merit from 1 to 80.

46976. You will arrange them in order of marks?—Yes.

46977. And from these you will select the first 40 or 30 or whatever it may be according to the number of marks?—No. Let us say there are 200 candidates for 60 vacancies. The line may be drawn at 100 or 80 or 75, and nobody below that line will be taken in any case.

46978. That line will be determined by the number of marks?—Yes.

46979. That is what I call a minimum qualification?—The line is drawn there, and the first ten must come in as a matter of right whether they are all Christians or all Hindus or all the domiciled community or anything. Once you have made arrangements for the due representation of communities there may be two of the domiciled community, one Parsi, five Muhammadans, and ten Hindus; and you go on taking them, Hindus for instance, from 11 to 80.

46980. Supposing the number of Europeans required is 40 and that there are 10 Europeans amongst the first 10, you will take them all and take the others from the rest?—Yes, in serial order. Every Hindu or Parsi will be passed over until the number comes to 30.

46981. If 20 Hindus are required you will take them in order of their marks?—Yes, passing over all English and Muhammadans or whoever they may be.

46982. And if 10 Muhammadans are required you will take them in order of their marks?—Yes. But if above the line only four Muhammadans are to be found then unfortunately some of the Muhammadans must go.

46983. With regard to the vernacular, you suggest that only those vernaculars should be considered which have a considerable literature?—That is so.

46984. You are not in a position to mention any particular vernaculars?—I may mention Urdu.

46985. But any vernacular with a sufficiently good literature will be considered?—Yes.

46986. Would you allow one man to take several vernaculars?—That is a matter of detail.

46987. It may be a matter of great importance. Supposing a man takes three or four vernaculars?—Probably I would not allow an Indian to take up all the vernaculars or the majority of them.

46988. *(Lord Ronaldshay.)* What do you mean when you say that if the Indians are treated properly you are of opinion that they would be quite prepared to forego a great many of their rights?—My own personal opinion is that the claim of right has only arisen on the ground of this want of treatment with consideration. We then began to think of rights, as to who ought to be a District Judge or Sessions Judge or Deputy Commissioner.

46989. I want to know exactly what you mean by the word "rights"?—Due representation in the service. For example, there ought to be more Indian members of the Civil Service as District Officers. That need would not be felt so much if we were perfectly satisfied with our District Officers.

46990. I do not understand whether you mean that this right which you claim is to have a certain proportion of Indians in the higher service irrespective of whether they have got into the Civil Service through the examination or not?—No!

46991. Nobody is stopping them from holding posts in the Indian Civil Service to-day so long as they get in through the examination?—That is not what I mean. There is a cry for simultaneous examination, which of course means that there ought to be more facility for Indians to get into the Civil Service and be District Magistrates and so forth. Speaking only for myself I think the question would not have arisen if we had had District Officers or Judges who were to our liking and who gave us satisfaction.

46992. One of these rights you claim is a simultaneous examination?—Yes.

46993. But I understand you repudiate that?—No, I do not.

46994. You have been spending an hour this morning in telling us that you desire, not an open simultaneous examination, but an examination in which you will select candidates from among those who have passed?—I am afraid you must have got a wrong impression of my evidence. I would like to have some arrangement made for the representation of my community. If that could not be done I would have simultaneous examination, pure and simple.

46995. Do you consider that a Muhammadan who goes in for the examination you suggest, and who does not get quite so many marks as a Hindu, has a right nevertheless to be appointed over the head of that Hindu if the proportion of Muhammadans in the service is not what you consider to be adequate?—Yes.

46996. That is what the Muhammadans claim as a right, but do you think it would be regarded as a right by the Hindus?—No; it will not be recognised as a right by the Hindus. This is not what I meant by rights. I say the basis of the claims that have been made now is on account of want of good treatment by the Indian Civil Service people.

46997. (*Mr. Tudball.*) You said that in respect of the knowledge of languages you are not satisfied that European members attain to an adequate proficiency in the study of the Indian languages, and the remedy is that they should be compelled to study more. There are certain examinations, for example, for a Degree of Honour, and I should like to know whether, if every Civilian was made to study for that examination, it would make him proficient in the language. Have you any acquaintance with those examinations?—I have not.

46998. There are certain members of the service in these provinces who have been in for the examinations and passed them with honours: have you met any of them?—I may have met them without knowing that they had passed the examination.

46999. Have you conversed with them in the vernacular?—I would not recognise them as having passed the examination.

47000. I could give you the names if you like. Mr. Dewhurst passed the Degree of Honour in Persian, Arabic, and Urdu?—I have not come across him at all.

47001. There are 21 members of the service in these provinces who have passed that examination?—I know Mr. Burns and I have a very high opinion of him, but I do not know whether he is an Honours man or not.

47002. I want to find out the standard you would require as a necessary standard to which all junior Civilians should be made to rise. It was stated yesterday by a witness that these examinations for the Degree of Honour were valueless; that it was useless to make any junior Civilian read up to these standards at all?—I am not prepared to disagree. The standard is not the passing of examination but of a man taking an interest in the matter.

47003. A man in order to pass those examinations, which are rather severe, will have to take a certain amount of interest in the subjects and study hard to obtain a competent knowledge of the language?—Yes, for the time being. We read a number of subjects which, if we are not interested in them we stop studying them further. I learnt German in England, but I have not touched a German book since.

47004. You say that obviously the remedy is that they should be compelled to study more. What do you mean by more?—Some sort of inducement must be placed in their way.

47005. If they pass the examinations they would get a reward?—Yes, some sort of approbation ought to be attached to a man who passes.

47006. You can give us no clear idea of a remedy?—No.

47007. You lay great stress on a Civilian who is going in for the Judicial branch working as Munsif and Subordinate Judge before he is put in as a District Judge?—Not working as a Munsif, but doing his work.

47008. That is what I mean: you cannot work as a Munsif unless you do a Munsif's work. You lay value on that?—I do.

47009. You think it is a very good training?—Yes.

47010. And you think that in the course of such training an Indian Civilian picks up a very good knowledge of his work as a Judge?—Yes and he also acquires the great virtue of patience. He understands to treat people as human beings, not as mere dummies and figures.

47011. So that it is a valuable thing?—A very valuable thing in my humble opinion, not only for the due performance of his work as a Judicial officer but as an administrator also.

47012. Do you think that class of training is just as good as if he were made to practise at the Bar or read with a Legal Remembrancer?—No.

47013. As a member of the Bar he learns to acquire patience and self-control, and to look at both sides of a case much more than if he worked as a Judge?—I would not recommend him to do that. I would simply make him do this civil work.

47014. You have said that in your province the Muhammadan community is not represented in the Judicial Service, and it is desirable that they should be duly represented. Do you know how many applications are made by Muhammadans for vacancies of Munsifs?—No; there are always applications.

47015. Are you aware that all the Muhammadan applicants who have applied to the High Court in recent years have been appointed in one quarter of the time it has taken a Hindu to get into the service?—I did not know it.

47016. Are you aware that at one time within the last three years there was only one Muhammadan applicant on our list?—No.

47017. As a matter of fact, do not Muhammadans prefer going into the Executive Service, and are they not far more numerous there than their Hindu brethren?—You mean the men who have passed a pleadership examination?

47018. No. A Muhammadan passes his B.A. and instead of reading Law and getting the LL.B. many of them prefer going into the executive side of the service, which does not require a Law degree?—They do prefer that.

47019. Do you not find many more Muhammadans there?—Yes, and not continuing their studies.

47020. Then why do you complain that the Muhammadan is not duly represented in the Judicial Service?—As I have already explained, applications are put in before the Judicial Commissioner, and if he is the nineteenth to apply he is put down as No. 19. and he cannot get a place before the first eighteen are provided for. I tried myself for a certain candidate and begged hard that some sort of preference should be given to the man, and he might be appointed in the near future, but I was told that the rule could not be broken and he must take his chance.

47021. Do you not think that the breaking of the rule is unjust?—No.

47022. I do not know the procedure here, but in the Province of Agra when a man places his name on the list he is given distinctly to understand that his position in the list gives him no claim in any way, but that the court is going to pick out the best man on the list?—Our system is that the candidates are appointed according to their number on the list. Of course there may be exceptional cases where a man is struck out.

47023. (*Mr. Kanhaiya Lal.*) In the course of your answers you have recommended an increase in the judicial staff. Do you mean

to say that they are overworked?—They were frightfully overworked up to 31st March. We are now trying a new scheme.

47024. Of course you cannot say whether the new scheme is giving adequate relief?—No, I cannot say anything about it unless I see how it works.

47025. Is the scheme of relief now sanctioned based on the state of things that existed five years ago?—Yes.

47026. Have there been many cases of breakdown and casualties amongst the officers of the Judicial Service due to overwork?—Yes, they are frightfully overworked. Many cases of breakdown have occurred.

47027. In another portion of your evidence you say you would give one-third of the Judgeships to the members of the Provincial Judicial Service. Why do you exclude the officers of the Provincial Executive Service from rising to these Judgeships?—I am afraid I have not a very high opinion of their judicial work.

47028. Do you think that practical training in judicial work is absolutely necessary, both criminal as well as civil, for officers who are selected for listed appointments?—So far as the Subordinate Judges are concerned, if they get a little training as Assistant Judges I do not say that it will not help them, but my own experience is that if you take a Subordinate Judge to-day without absolutely any experience of criminal work and place him in the position of District Judge, he can cope with the work. He wants no further training of any kind.

47029. On the other hand would an officer of the Provincial Executive Service be able to cope with the civil and criminal work?—Certainly not. As I have said in my evidence, I do not think he does even his rent work very satisfactorily. Of course there are brilliant exceptions amongst the Deputy Collectors for whom I have the highest respect, but I am talking of them generally.

47030. (*Mr. Fasih-ud-Din.*) You say that you have no objection to the present methods of recruitment for the Provincial Service?—I say I have no recommendation to make for their alteration.

47031. Am I to understand that you approve of the present methods?—Not at all. My answer means that I have not thought out a scheme and I cannot suggest any alterations.

47032. Do you approve of the principle of competition being introduced into the recruitment for the Provincial Civil Service?—I should be pleased to see that done.

47033. Unlimited competition?—I would have competition after nomination.

47034. Do you think that the LL.B. examination is a competitive examination or only a degree examination just like the B.A.?—It is the latter.

47035. Would you extend your principle of competitive examination into the Judicial branch instead of taking the LL.B. without any competitive examination?—I believe you know that there are LL.B's. and LL.B's., just as there are B.A's. and B.A's. and Barristers and Barristers.

47036. The LL.B. is nominated by the Judge under the present rules for a Munsifship?—Yes.

47037. Would you suggest any competitive examination for the recruitment of the Judicial branch after the candidate has taken his degree?—No; I think he is sufficiently qualified.

47038. You put a very low premium on the B.A. degree so far as liberal education is concerned?—No.

47039. You say you want to introduce competitive examination for the Executive branch of the service, and you admit that the LL.B. examination is not a competitive examination but a degree examination?—Yes.

47040. And you say that it is a sufficient test of a man's knowledge of Law?—Yes.

47041. May I know whether the B.A. degree is a sufficient test of a man's liberal education?—Yes.

47042. Then why do you propose a competitive test in the case of the Executive branch and not in the case of the Judicial branch?—There are so few LL.B's. or High Court Vakils compared with B.A's., and out of them there are very few who apply for a Munsifship, and those that apply as a rule get them.

47043. You make the differentiation on the ground of numbers and not on any other grounds?—No.

47044. You attach great importance to the training of a junior Civilian in the work of a Munsif before he can be made a Judge?—Yes or anything. He has to do Munsif's work even if he is to be a Settlement Officer. That I take to be a good training for him.

47045. You do not attach so much importance to the training of a man in criminal work?—No.

47046. You think criminal work is much easier than civil work?—I do not think there is anything in criminal work except the apportionment of sentence.

47047. The decision in civil work depends more or less on documentary evidence, at any rate much more than the decision in a criminal case?—There is much more documentary evidence in a civil case than in a criminal case.

47048. So that there is a surer ground to go upon in a civil case than in a criminal case where one has to discriminate between the evidence of one witness and the evidence of another. That can only come by long experience?—A Munsif has to do just as much.

47049. But not to such an extent as in criminal cases?—I think to the same extent if not to a larger extent. There are many different issues before a Munsif, but before the Deputy Collector there is only one issue. "Is the man guilty or not guilty?"

47050. This is the point on which opinions differ. Are there Barristers of tolerably good fame in Lucknow practising in the court of Joint Magistrates and Deputy Magistrates?—Yes, and I should think most of them would be only too happy to come away.

47051. They are practising there?—Yes, there are some.

47052. I believe you are also practising in the courts of Joint Magistrates and Deputy Magistrates on the criminal side?—I have given that up over a dozen years since I got hold of civil practice.

47053. (*Witness.*) I do not know whether I may be permitted to volunteer a statement with regard to something one of the witnesses here stated with reference to the separation of the Judicial and Executive functions. He was asked by Mr. Ramsay Macdonald if the Muslim League is not in favour of this proposition, and the answer given by the witness was that the League had not yet decided this point. That is not right. The Muslim League passed a resolution on this point at their last sitting.

(*Chairman.*) We have that resolution before us.

(The witness withdrew.)

JOSEPH MILES CLAY, ESQ., I.C.S., Under Secretary to Government, United Provinces.

Written answers relating to the Indian Civil Service.

NOTE. The opinions expressed in these replies assume throughout the continuance of the present educational position, both in England and India, for a considerable period. There is good reason to anticipate that within a generation the state of education in England will undergo great and progressive change, partly owing to the continued action of existing causes and partly to the new educational programme of the present Government. In India it is certain that the educational movement recently begun marks the commencement of a new epoch, but it is impossible to forecast as yet even the probable results of the vigorous policy now being pursued. It has been assumed, however, that the present position will not be radically changed for perhaps a generation, after which interval it will of course be possible, following the double precedent now created, to re-examine, with the assistance of a Commission or otherwise, the condition of the Indian Public Services. The suggestions made in these replies therefore are essentially provisional and do not pretend to a greater permanence than the present generation. The views put forward also have special reference to conditions prevailing in the United Provinces.

47054. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system of recruitment by open competitive examination for the Indian Civil Service has worked on the whole satisfactorily in the past and should, provided its attractions are not reduced, continue to do so in the future. It ensures that the candidate has the means and capacity necessary for the acquisition of an expensive education on general lines and that he is at least on a level with "the ordinary well-educated young man of the period." The conditions of the examination can be, as they actually are, framed to attract the product of the public schools and Universities, more especially those men with an inclination for a life abroad; and experience has shown that this material is well-adapted for the work which falls to the lot of most Civil Servants of the Crown in India. It is no doubt an objection in theory that this system makes a certain kind of intellectual ability together with a minimum standard of physical fitness, the sole criterion of a candidate's suitability; but in practice, as suggested above, the field of selection is greatly narrowed. Cases, of course, occur of unsuitable candidates proving successful, but it is difficult to suggest a method by which they could be infallibly excluded. The methods mentioned in question (6) are the most obvious, but it may be reasonably doubted how far any of them would attain this end. At present all who satisfy the conditions and wish to do so can enter for the examination. Were a further condition imposed, that all candidates should first be selected or nominated by school or University authorities, as fit and proper persons to enter the Indian Civil Service, it is improbable that the number of candidates would be appreciably reduced. It would often happen under the most careful system of selection or nomination that a man's unfitness would remain undetected until his arrival in India. I would suggest that the proper way of meeting this difficulty is by compulsory retirement, under due precautions [*vide* question (124)] of such officers as are found to be unsuited for the work they are intended to perform.

I have assumed hitherto that nomination and selection would only be employed in admitting candidates to a competitive examination. There remains the alternative of direct selection by the Secretary of State or some other authority. To this course there are insuperable objections. In the first place it would be impossible, I think, to establish a satisfactory basis of comparison between the claims of Indians educated in India, who would of course be eligible for selection in this way, and of candidates educated in England and elsewhere. It would probably be found necessary in practice to select a fixed number of Indians annually, choosing simply those with the highest qualifications. This, in view of the very large number of candidates who would certainly present or endeavour to present themselves, would be a task of enormous difficulty. Secondly, the method of selection or nomination, however impartially it may be carried out, cannot from its nature escape the suspicion or the imputation of jobbery and favouritism in some form, particularly in India.

On these grounds I consider that open competitive examination in some form is, with all its defects, the most suitable system of recruitment for the Indian Civil Service.

47055. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I recommend no alterations in this connection.

47056. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—I do not consider that such differentiation is desirable.

47057. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.—There does not appear to be any objection to the present system. On the assumption [*vide* question (20)] that proof of a good general education is what should be demanded at the open examination, there is clearly no disadvantage in combining the examination for the Indian Civil Service with those for other services for which a similar standard and class of education is required. There is even, I suggest, this advantage, that it affords a test of the comparative popularity of the Indian Civil Service. The choice or refusal of an Indian career by the most highly-placed and therefore presumably the most able of the candidates,

should supply a valuable indication of the esteem in which the Indian Civil Service is held. At a time like the present, when it is freely stated that the popularity of the Service is rapidly waning, any means of gauging the truth of this assertion should be welcomed.

47058. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am of opinion that no system of simultaneous examination in India and in England is desirable.

The only way in which such a system could be introduced with complete fairness, both to examiners and examinees, would be by constituting a single examining body who would set identical papers for both Indian and English candidates.

To this there are certain practical objections, the disposal of which will not be easy.

(i) Oral and practical examinations would necessarily be conducted by different examiners, thus reducing *pro tanto* the uniformity of the standard of marking.

(ii) The month of August, which is for obvious reasons the most convenient for the examination in England, is apt to be a trying and unhealthy month in most parts of India. Indian students have in my experience complained at the suggestion that they should sit for an examination late in April or the beginning of May. They would find August not seldom equally if not more unpleasant for the purpose. On the other hand the fixing of the examination in the winter months would be attended with grave disadvantages from the point of view of English and indeed of all candidates.

(iii) Owing to the variation in solar time between England and India it would only be possible to set one written paper *per diem*. This would make the examination very protracted. This is not a frivolous suggestion. If a paper was set in London between 10-0 a.m. and 1-0 p.m., it could not be set in Calcutta or Delhi before 3-0 or 4-0 p.m. on the same day without risk of its contents being cabled to London before the examination there commenced.

To avoid this difficulty it would be necessary to set a different set of papers for Indian and English candidates.

This would increase the difficulty of discriminating between the papers of different candidates, a matter of some importance when it is remembered how great a difference a paltry number of marks, even 5 or 10, may make among the candidates placed low down on the list.

But granting that these preliminary objections could be satisfactorily disposed of, it remains to consider what would be the probable effect of such a change. The first and most important is that Indian aspirants to the Indian Civil Service would cease to go to England to prepare for the examination (and this at a time when the prejudice against visiting Europe has largely disappeared), whilst their number would be greatly increased. What the result of this would be it is hard to say, but assuming that the lower age-limit of candidates is maintained at 21 or 22, and judging by the standard of education achieved in the United Provinces at present, I think it may be safely said that on a basis of identical or absolutely similar papers, set and answered in English, the number of successful Indian candidates for years to come would be very small indeed, unless the standard of English candidates falls much below what it has been hitherto. Such a result would be bitterly disappointing to the large body of unsuccessful Indian candidates and the "failed I.C.S." would probably feel his fate more keenly than the "failed B.A." and his other companions in misfortune.

The establishment of a simultaneous examination in India would inevitably lead to the introduction of cramming methods in education against which it has not been found possible to guard entirely in England, while they would be far more injurious in the congenial soil of the East.

The failure of aspirants for the Indian Civil Service to visit England to acquire, or at least complete, their education previous to the examination is to be deprecated on other grounds. If it is admitted that the administration of this country is to be directed from above on Western lines, it is essential that the directing agency, which is mainly the Indian Civil Service, should be thoroughly acquainted with Western ideals and modes of thought. I question the possibility of candidates, whose education up to the time of the open examination has been entirely in India, ever attaining this knowledge adequately during any period of probation subsequently spent in England; and it would be the lack of this knowledge which would be one of the greatest difficulties experienced by such candidates in the examination itself. It is often said that few, if any, Europeans understand the Oriental point of view, but it is equally true that few Indians who have never left their own country appreciate the European; and it is more important for an Administration which is *ex hypothesi* to be European in character that all the members of its directing agency should have first-hand knowledge and due appreciation of European views and ideals. This is not to say that it is immaterial whether the European Civilian understands or tries to understand the Indian standpoint. This is a very important matter; but the other is a paramount necessity.

It appears to me, therefore, that the establishment of a simultaneous examination would tend to a differentiation between Civilians educated in India and those educated in England, and to a loss of sympathy between these two classes which would be prejudicial to the Administration [*vide* also question (9)].

I have given it as my opinion, based on observation of conditions in the United Provinces, that simultaneous examination would not, for the present at least, result in any appreciable increase in the number of Indians selected for the Indian Civil Service. But should this result come about, either immediately or after the lapse of some years, it is clear that difficulty may be experienced from a preponderance of candidates of one class, caste, or nationality proving successful. Muhammadans would naturally object to an excess of Hindu Civilians, whilst it would not be to the advantage

of the Administration to post Indians of other provinces, whatever their intellectual calibre, in parts of Northern India in any number. This might well prove a source of embarrassment to the Administration; and the remedies for it, the reservation of a number of posts for certain classes or communities, or the holding of separate examinations for different parts of India [*vide* question (9)], appear undesirable on the ground that they abolish the principle of free competition which is the sole guarantee that only the best material available according to the test applied has been selected.

For the above reasons, I hold that so long as it is considered necessary to maintain the administration of this country on a basis of distinctly European methods and ideals, it would be a mistake to institute any system of simultaneous examinations. I do not discuss the further questions whether higher education in India will ever approximate in character so closely to European as to make it possible to dispense with a long period of instruction in Europe to attain the object in view or whether it is desirable that it should, or again whether at any future time it may, be unnecessary to insist so strongly on a European basis for the administration, since I do not regard either of these questions as coming at present within the range of practical discussion.

47059. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—It follows from the answer to the last question that I am not. But it appears to me that if a simultaneous examination was established in India there would be no case for refusing to hold it at other centres in His Majesty's Dominions should there be an adequate demand for it.

47060. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—There are two grave objections to reserving a fixed number of posts in the Indian Civil Service for candidates to be selected by examination in India. First, it is an obvious drawback that a certain number of candidates would have to be selected annually irrespective of their being all up to the standard demanded of the candidates selected at the open competitive examination held in England; and secondly, any dual system of selection would give rise to a distinction between members nominally at least of the same service, which it would be most impolitic to create. This is one of the chief drawbacks in the case of the Statutory Civil Service which, it is generally admitted, has not justified expectations. If there were a single examination for the whole of India, it is certain that, in the present varying stages of educational progress attained by different provinces, the great majority of successful candidates would be residents of those most intellectually advanced such as Bengal and Madras; and even in those provinces it seems likely that the posts reserved would be almost monopolised by certain sections or castes. This would be resented by the excluded communities and by the residents of the other provinces, and would make it doubly difficult for such officers to carry out their duties in those provinces successfully. I have suggested in answer to question (7) that this result might occur if an open simultaneous examination in India and England were instituted for recruiting the Indian Civil Service as a whole. It would inevitably follow the institution of a separate examination in India, and I think it would be found necessary to have separate examinations in the different provinces. This is a confession of weakness and it would result in the Indian element in the Service of some provinces being admittedly of inferior intellectual ability to that in others. It would render the designation *Indian* Civil Service a misnomer so far as these recruits were concerned and make them practically a higher paid branch of the *Provincial* Service. It would accentuate the distinction between the Civilians recruited in India and those recruited in England and have all the bad results mentioned above [question (7)] as following from a system of simultaneous examinations in an aggravated form.

47061. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of any of these systems, but if it is decided to recruit any part of the Indian Civil Service in India, I should prefer a system of nomination and examination for each province separately, somewhat on the lines of the method adopted for the Egyptian Civil Service, to a system of examination only. I think this would be necessary with the object of securing due representation of all classes of the community whom it is desirable and practicable to place in authority. It would certainly not be desirable that "all classes and communities" should be represented, if by this is meant all the larger castes. Several of the largest castes in the United Provinces are far too low in the social scale to be able to supply suitable representatives. I do, however, consider that all classes who have made sufficient progress to enable them to discharge the duties of a Civil Servant properly should be represented.

47062. (13) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose.—No. It is not a separate method of recruitment—there are already three in existence—but a better system of training both for members of the Indian Civil Service and the Provincial Judicial Service which is required.

47063. (14) Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.—Yes. It appears to me both logical and adequate.

47064. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I would fix the age-limits at 21—23 on January 1st in order to attract candidates who have just completed a University course. With these age-limits the average age of young Civilians on arrival in India will be 24 [*vide* question (44)]. The aim should be to get men who have finished an ordinary University course without cramming—this result is more likely to be attained by the present system of marking and by the present regulations than by any of the previous systems—and are of fairly formed character. The age-limits suggested satisfy both these conditions and fit in well with the theory of recruitment described in question (72) which appears to me both economical and sound. If a lower age-limit is taken, candidates will usually be unable to complete an ordinary University course before competing and will often prefer to attend a crammer's on leaving school to residence at a University; while the risk incurred by placing men too young to hold them in positions of responsibility in India will be increased. If a higher age-limit is taken, the candidate will be encouraged to spend his time, after completing his course at the University, at a crammer's.

47065. (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—My experience is insufficient for me to hazard an opinion.

47066. (17) What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I do not wish to express any opinion on this subject, but I would point out that it is difficult for anyone to form a correct opinion by observation of a few individuals in a single province, and further that it is scarcely fair to judge men who have still to learn their work and have had little opportunity of displaying their capacity or the want of it.

47067. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—This question can best be answered by "Natives of India."

47068. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee in 1854. Special subjects should be taken up after and not before the open examination.

47069. (21) Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—I accept the existing syllabus as satisfactory with two suggestions—

(i) The maximum awarded for the two Oriental classical languages, Sanskrit and Arabic, should be equal to that awarded for Greek and Latin, provided the standard demanded is equally high.

(ii) The addition of Persian, with a maximum equal to that given for French, German, and Italian, seems desirable.

Both these alterations seem to be required in the interest of Indian candidates. I assume that candidates will be of University-leaving age.

47070. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—None.

47071. (23) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54), [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—It appears to me desirable that the safeguard to the interests of the Indian Civil Service afforded by the statutory reservations made in the Indian Civil Service Act of 1861 should be maintained. The modification introduced by the Government of India Act, 1870, makes ample provision for any changes that may be considered temporarily or permanently necessary in the interests of

members of the Provincial Services or of the Indian public generally.

47072. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—The principle that the number of Europeans employed in the Civil administration should be fixed at the minimum consistent with the maintenance of Western methods and ideals in the administration is demanded by considerations of economy. No attempt has yet been made to define this minimum or to secure it directly; and under the present method of recruitment there is nothing to prevent every place in the Indian Civil Service being filled by Indians. That the number of Indians who have so far obtained admittance is not large is due to other causes. Had it been larger it would probably have been found necessary to discuss the need for limiting it, since the time has not yet come when the prospect of a reduction in the European element beyond a certain point can be regarded with equanimity.

It is not easy to say what is the maximum proportion of the posts included in the Indian Civil Service cadre which could properly be held by "Natives of India." This must depend on the method of recruitment and on the circumstances of each province. In the first place the maintenance of a Western basis for the administration requires, under present conditions, a certain proportion of Europeans; but this is liable to be affected by the extent to which their Indian colleagues have, by residence and education in Europe, become acquainted with Western ideas. Under the present system of recruitment the Indian members of the Indian Civil Service have usually obtained a very thorough acquaintance with these ideas; but the institution of simultaneous examinations would, as explained above, tend to prevent this. With the present system of recruitment, therefore, a smaller proportion of Europeans would be possible than with a different system. This is a general consideration applicable everywhere. It must also be remembered that with Chapter XXXIII of the Criminal Procedure Code in its present form it will always be necessary to have a considerable number of European Magistrates in certain provinces for posting to towns in which there is a European community. In the United Provinces, for instance, there are at least 20 districts in which it is almost essential that one, and usually more, European Magistrates should be posted for this and kindred reasons, *e.g.*, the presence of European troops. I attach a list* showing the districts referred to and the smallest number of European members of the Indian Civil Service which could ordinarily, for convenience of administration, be posted to them. It follows from this that at least a proportionate number of the higher posts in the Executive line would have to be reserved for Europeans to provide for their promotion in the ordinary course, while it would be necessary to maintain the usual leave and training reserve in the lower ranks of the Service. Similarly in the Judicial branch it will always be necessary to provide a training ground for the three Judgeships in the High Court reserved by Charter for members of the Indian Civil Service and also for the post of Judicial Commissioner and possibly one of the Assistant Judicial Commissioners which will presumably continue to be held by Europeans. These considerations only indicate some of the factors governing a calculation of the eventually irreducible minimum of Europeans in the Indian Civil Service. What the immediately practicable minimum would be is quite a different matter. A mere statement of opinion that a certain proportion of the posts in the Indian Civil Service might properly be made over exclusively to Natives of India is of little value. To decide practically what this proportion is, is rather a matter for empiric test than abstract reasoning. At the present moment there are in the United Provinces 18 Natives of India, I believe (11 members of the Indian Civil Service and 7 of the Provincial Service holding "listed" posts), employed in Indian Civil Service posts. This number will soon be raised to 21 when the three newly listed Judgeships are filled by members of the Provincial Service. This gives a proportion of about 1 in 11 in the whole cadre. If the 13 "inferior" listed posts are added, the number of "Natives of India" included in the Indian Civil Service rises to 34 and the proportion to about 1 in 7. There would be no

* Dehra Dun—
1 Superintendent.
1 Assistant Superintendent.

Saharanpur—
1 Magistrate.
1 Sub-Divisional Officer, Rurki.

Meerut—
1 Magistrate.
1 Joint Magistrate.

Aligarh—
1 Magistrate.

Muttra—
1 Magistrate.

Agra—
1 Magistrate.
1 Joint Magistrate.

Bareilly—
1 Magistrate.
1 Joint Magistrate.

Cawnpore—
1 Magistrate.
1 Joint Magistrate.

Allahabad—
1 Magistrate
1 Joint Magistrate

Jhansi—
1 Magistrate.
1 Joint Magistrate.

Benares—
1 Magistrate.
1 Joint Magistrate.

Moradabad—
1 Magistrate.

Mirzapur—
1 Magistrate.

Gorakhpur—
1 Magistrate.
1 Joint Magistrate.
1 Sub-Divisional Officer, Kasia.

Kumaun—
1 Magistrate, Naini Tal.
1 Joint Magistrate.
1 Magistrate, Almora.
1 Joint Magistrate, Ranikhet.
1 Magistrate, Garhwal.
1 Joint Magistrate, Lansdowne.

Lucknow—
1 Magistrate.
1 Joint Magistrate.
1 City Magistrate.

Fyzabad—
1 Magistrate.
1 Joint Magistrate.

Gonda—
1 Magistrate.

objection to raising the proportion of Natives of India gradually either by "listing" more posts or by increasing the facilities, by grants of scholarships, &c., for Indians wishing to study in England for the open examination. The advantage of this method is that it would be possible to test the result of an increase in the number of Indian members of the Indian Civil Service as the experiment proceeds. The increase could then be checked when desired and it would not be necessary to resume concessions once granted, as might easily occur if an *a priori* minimum number of Indians to be employed in the Indian Civil Service were fixed at once.

47073. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—Subject to the suggestions made in the reply to question (37) I regard the present system as satisfactory.

47074. (33) Please now refer to the rules, dated the 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—It is probably unnecessary for me to point out that since the compilation of Appendix IV three more District and Sessions Judgeships have been "listed" under the orders of the Secretary of State, thus raising the number of superior listed appointments to 10 in the United Provinces.

47075. (37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I do not understand what advantages this system possesses. It disguises the fact that the posts have been listed and reduces the pay which they ought to carry. The two posts of Joint Magistrate, 1st grade, ought, according to the usual calculation, to carry a pay of Rs. 640 when held by a member of the Provincial Service, and the five posts of Joint Magistrate, 2nd grade, a pay of Rs. 448 instead of Rs. 600 and Rs. 400, respectively. This is likely to cause dissatisfaction to the Provincial Service and to that portion of the public which interests itself in the question of replacing Europeans in the administration by Indians.

Besides, the pay allotted to these posts is insufficient to cause them to be regarded as prize appointments. The only "listed" posts in which the Provincial Service is really interested are "superior" posts.

47076. (38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Generally speaking they are. It is better not to list a post at all than to list it and not fill it with a member of the Provincial Service. Indiscriminate listing is therefore most inadvisable. One point requires attention. The present tendency is to list appointments of District and Sessions Judge more freely than those of District Magistrate. There is no doubt good reason for this policy, but the result of it is likely to be discontent in the Executive branch of the Provincial Service which is in the United Provinces nearly 50 per cent. more numerous than the Judicial. A remedy for this might be found in the creation of a selection grade for Deputy Collectors on Rs. 1,000 or Rs. 1,000—40—1,200, containing a sufficient number of posts to adjust the difference, if it be thought undesirable to list an equivalent number of appointments of District Magistrate. It must also be remembered that lucrative appointments on deputation in Native States are more often obtained by members of the Provincial Executive than of the Judicial branch.

47077. (43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I think the present system by which successful candidates at the open examination undergo a year's probation and special instruction in England before coming to India is a good one.

47078. (44) What should be the duration of the probationer's course in England—(*a*) under the present system of the open competitive examination; (*b*) under any modification of that system recommended by you?—With the age-limits of the examination fixed at 21—23 one year is a sufficient period for the course.

47079. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

47080. (46) If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—At present there are a number of approved Universities for probationers. It would be better in my opinion to reduce their number to one or two. The number of probationers seldom exceeds 60 and their concentration at one or two places could therefore be arranged without difficulty and would be to their mutual advantage. It would also render it possible to ensure really efficient instruction, which in the past certainly was not always and in every subject available at some Universities. In this matter I speak from personal experience.

47081. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Probationers have many expenses to meet during the period preceding their departure from England.

In addition to the expenses of tuition and residence at a University the probationer has also to obtain his outfit for India and to qualify himself in riding. It is not unreasonable to expect that he should meet some part of this expenditure from his own resources, but in view of the long and expensive education he has already undergone it seems fair that Government should give him some assistance. I would suggest £200 and a free passage to India, which is probably not much over half the average probationer's actual expenditure, as a suitable allowance.

47082. (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I see no need for this.

47083. (50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I accept the principle laid down in 1854 provided that the age-limit of 21—23 years is maintained.

47084. (51) Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course—(*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you.—I think the present course is satisfactory, but I would also require attendance and taking of notes at criminal courts so as to familiarise the probationer with the procedure in an English Magistrate's court.

47085. (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.—It must be remembered that time of probation is limited. The period of a year at present is in effect little more than 10 months, as the course seldom begins much before November and the final examination takes place in September. It is useless, therefore, unless the old system of two years' probation in England is revived (which appears unnecessary for probationers who have completed a University course) to attempt too much. As suggested above, a certain amount of case reporting in English courts might well be insisted on, and I think that it would be more useful to give instruction on the general principles of jurisprudence and evidence, as illustrated by the Indian Laws on the subject, than bald instruction in the latter only. Great importance should be attached to a thorough grounding in the grammar and rudiments of the principal vernacular in use in the province for which the probationer is destined. A little colloquial instruction is desirable but this can mostly be left till the probationer's arrival in India. I would not overload the course with Indian Geography, Political Economy or Accounts.

47086. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

47087. (54) What is your opinion of a proposal to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I think such a college is neither necessary nor desirable.

47088. (56) In the report of the Treasury Committee appointed to consider the organization of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—No.

47089. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present system of posting newly-joined Civilians separately or in couples to different districts and leaving them to pick up a knowledge of their work by experience, as best they may, might well, I think, be improved. No doubt the districts to which and the Collectors under whom they are posted are carefully selected; but a busy Collector has not usually sufficient time to spare for the important task of explaining his practical work to his Assistant, while the Assistant's limited magisterial and revenue powers prevent him from acquiring much practical experience at first-hand. Added to this it sometimes happens that owing to a district being short-handed the junior Assistant is given a good deal of unimportant and routine work to perform with a view to relieving the rest of the staff, which adds little to his experience while it takes up a great deal of his time.

It would be better to arrange for all the newly-joined Assistants posted to a single province to undergo a year's training at one centre under a selected Magistrate specially deputed for the purpose. The training would consist of colloquial instruction in the vernacular, attendance at courts, civil and criminal, and taking of notes of the proceedings, and introduction to land revenue work by means of a short tour in the district, a small amount of practical Magistrate's work in court, instruction in municipal, district board, excise, educational and sanitary work, and preparation for the departmental

examination. At the end of the year the practical course in survey training and land records work would form a suitable conclusion to the year's course. By this system I think it would be possible to ensure that all or nearly all junior Civilians passed the departmental examination by the end of their first year's service and entered upon their second with enhanced magisterial powers and a far wider knowledge and experience of the work they would then be expected to perform than any of them at present possess.

This system would be not only better but more economical than the existing one. The Indian Civil Service officer is the most expensive instrument of administration in India. It is important that he should be brought to a state of real efficiency as speedily as possible.

47090. (61) Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—The departmental examination for junior officers of this province has recently been subjected to careful examination and criticism, and various changes have been made in it. I think it is now satisfactory.

47091. (62) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—On the first part of this question I am not qualified to express an opinion. It is however quite impossible for any officer in the United Provinces to perform his work at all, especially in the early years of his service, without a sound practical knowledge both of Hindustani and of the dialect spoken in the district where he is serving. Every officer has therefore to acquire an adequate knowledge of the vernacular though the standard of proficiency attained by different officers of course varies.

47092. (63) Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—I do not consider that any further changes in rules for encouraging the study of Oriental languages are required. Their efficacy in attracting men to this study, who have no natural inclination in this direction, is more than doubtful, while in the case of men who have they are unnecessary.

47093. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in Barristers' chambers or other) and what conditions do you propose?—I have no desire to add to the already considerable literature on this subject. The knowledge of law attained under existing conditions by Magistrates is usually regarded as adequate. As for a scheme for training members of the Indian Civil Service who elect for the Judicial branch, I think the scheme outlined in the letter of this Government to the Imperial Government, written in 1911 in response to a similar enquiry, a copy of which is doubtless in the possession of the Royal Commission, is as good as any other.

47094. (66) Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.—It appears to me that officers, whether of the Indian Civil Service or the Provincial Judicial Service, require special training before they are finally selected for the higher posts in the Judicial branch. It is important for one whose legal training has been mainly as a Magistrate to obtain first-hand experience of civil work in its lowest grades: it is equally important that one whose training has been entirely in civil work should obtain experience of a Magistrate's work. A great deal has been made of the first aspect of the case; but the second is, from the point of view of the general administration of a district, at least in the United Provinces, of greater importance.

It appears to me that an officer of the Indian Civil Service should ordinarily be put through a course of work as Munsif or Subordinate Judge before he is selected to fill one of the new posts of Sessions and Subordinate Judge, whilst on the other hand the Subordinate Judge should be required to work for a similar short time as a Magistrate or in some other way be given experience of criminal work, before selection as a Sessions or Assistant Sessions Judge.

47095. (67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No. I can see no reason why a man should be rewarded for displaying proficiency in what it is his business to be proficient.

47096. (72) The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior posts," carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—This theory is sound, I think. One-third of the service necessary to qualify him for pension should be ample for an officer's training. Under present conditions an officer

is in his 33rd year when he is commencing his ninth year of service. If he is not fit for responsibility then, he never will be.

The existing ground for complaint in the United Provinces is that this theory has not for many years past been put into practice owing to recruitment far in excess of the standard laid down in Appendix VII statement AA having been carried on for a number of years previous to 1900.

47097. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts" and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—I accept this also as a suitable working arrangement subject to the remarks made in my last reply.

47098. (88) To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable, and if so, in what directions?—The demand which has been in some places made of late years for what is called the separation of the Judicial from the Executive has reference of course only to the magisterial staff, the higher judiciary, such as Assistant Sessions Judges, Small Cause Court Judges, Sessions and District Judges, exercising no Executive functions at all. So far as the United Provinces are concerned, there does not appear to be any real demand for a separation between these two functions of the magistracy at present. A few progressive public men, anxious not to be behind the times, and some newspapers which reflect the views of their proprietors or their foreign editors rather than of the public they cater for, have no doubt taken up the cry. But it is an imported one and has been little heard in this province.

It may, I think, be said that, whatever may be the case elsewhere, there is no need at all for any change in the existing system here. It would be virtually impossible to make any effective separation of these functions of the administration without a decided increase in the staff and consequently in the expense of administration. Were this accepted as inevitable and carried out, one result would certainly be to throw the criminal administration of districts more and more into the hands of Indians. I do not think this could be safely done yet in many districts of this province. There is no doubt too that, with the present simple organization existing in an Indian district, duplication of the control over the staff would hamper administration very greatly and render it less efficient. It is of course essential that the District Magistrate, whether Indian or European, should be an officer who can be trusted not to abuse his position: but no one who cannot be so trusted is fit to be or should be appointed a District Magistrate.

47099. (92) Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The grading of the Indian Civil Service in this province is on the whole suitable. As to the rates of pay a reference to the answer to question (105) is invited.

47100. (93) If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—Apart from the general question of the adequacy of the rates of pay allowed I think that there is a case for treating officers in the first years of their service with greater liberality. As matters stand, an officer usually draws Rs. 400 *per mensem* for his first year of service and Rs. 450 during his second, not reaching Rs. 500 till the beginning of his third year. Considering the age at which he arrives in the country and what is expected of him, this allowance is inadequate. I would raise the pay of newly-joined Assistants to Rs. 500, give them Rs. 600 when they are invested with full powers, and fix the pay for Joint Magistrates, 1st and 2nd grade, or their equivalents, at Rs. 1,000 and Rs. 800.

I would also suggest that if the rates of pay are varied at all, the opportunity should be taken to calculate them by the month and not by the year. The method of calculating them on an annual sum has resulted in their monthly equivalents, the form in which they are invariably quoted, being expressible in many cases neither in a round sum nor in whole rupees. It would be more convenient to abolish this anachronism.

47101. (94) Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—Now that any distinction between the regulation and non-regulation provinces, sufficient to justify a difference in the rates of pay of officers employed in them, has ceased to exist, there seems to be no logical reason for maintaining the variations in the rates of pay for similar posts in different provinces. Owing to difference in systems of administration and local circumstances absolute uniformity is no doubt unattainable; but certain obvious inequalities should clearly be rectified. I am not aware that any particular ground for dissatisfaction on this score exists in the United Provinces, but would suggest that the two posts of Secretary to Government are most inappropriately graded along with those of Magistrates and Judges in the regular line. They are selection posts and should carry special pay, as they do in Bengal, Bombay, Burma, and elsewhere.

47102. (95) Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The conditions to meet which exchange compensation allowance was introduced still exist and there seems to be no reason for its abolition. As it is definitely intended to compensate officers who have to meet expenditure in Europe it is only fair that it should be refused to Indian members of the Indian Civil Service. The proposal to replace it by a rise in salaries, which it would be

invidious to deny to Indian officers, is therefore hardly a happy one.

47103. (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?—I am in favour of substituting a time-scale of salary for the existing graded system for all appointments at present carrying pay up to a certain maximum.

I would point out that the theory propounded in question (72) and the scale of superior and inferior posts shown in Appendix VII statement AA are a tacit admission that promotion and pay are intended to bear a definite relation to the length of an officer's service. In other words, the graded system is intended to work as a time-scale, though it is a clumsy one. In this province it has already broken down twice in the last 40 years, and I think it is desirable that a third breakdown should be anticipated and prevented by the substitution of a time-scale which works, for one which does not. I need hardly draw attention to the fact that by the time-promotion has become so slow as to demand the application of a remedy the mischief has been done. General discontent has been caused and this cannot wholly be allayed by the temporary palliatives which are all that are possible under the graded system. When such discontent springs up in several provinces simultaneously the effects may be serious, and recruitment in England is likely to be adversely affected.

I have no practical experience of the working of a time-scale in any other service, but it does not appear that any insurmountable difficulty or objection is likely to be met with in its introduction.

If the rate of recruitment is regulated according to the scale shown in Appendix VII there should be no risk of officers drawing pay incommensurate with the importance of the duties they are called on to perform [*vide* answer to question (103)].

The objection that the prospect of a regular annual rise in pay would reduce the stimulus to hard work is met by the provision of a number of prize appointments outside and above the time-scale of pay and by the stipulation that an increment should be earned before it is given. But in practice I do not believe this to be a real objection at all. Good work is never done simply for the sake of pecuniary reward but because the doer of it takes an interest and pleasure in doing it. It is a far greater objection that under the graded system an officer is liable to lose interest and pleasure in his work because, however energetic and capable, it may be quite impossible, owing to the claims of his seniors, for him to avoid reversion to posts of less responsibility and inadequate pay long after the time by which he should theoretically be no longer subject to such reversion.

47104. (100) As an alternative do you recommend a system by which each main class of appointment would have a separate time scale?—No. Such a system would be open to exactly the same objection as the existing graded system.

47105. (102) If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time scale in provinces where the scale of pay of the Judicial and Executive branches of the Service is different?— Subject to the general remarks made in the answer to question (105), I consider that a time-scale on much the same lines as that recently sanctioned for officers in the Political Department would be suitable.

(i) The scale might begin at Rs. 500 and rise by annual increments of Rs. 100 *per mensem* to Rs. 2,500 *per mensem*. This rate of pay would be reached after 20 years' service and every officer should expect in the normal course to reach it.

(ii) In addition to the posts in the time-scale there would be a number of selection posts, about 25 per cent. of the existing number of superior posts, outside it carrying pay in excess of Rs. 2,500 *per mensem*, to fill which any officer might be selected. The pay of officers holding these posts in a temporary vacancy would be regulated in the same way as pay in such cases is regulated at present.

(iii) Certain appointments might be kept on personal pay whether this pay happened to be more or less than the maximum under the time-scale, *e.g.*, Secretaries and Under Secretaries to Government, Registrar of the High Court, &c.

(iv) In other cases special allowances, according to the existing practice, might be given.

(v) Under this scheme there would be no superior grades within the time-scale.

(vi) Should the needs of the public service require an officer drawing less than, say, Rs. 1,200 *per mensem* to be placed in charge of a district or to perform the duties of a District and Sessions Judge, a charge allowance of Rs. 200 *per mensem* might be given.

(vii) I would also suggest for consideration that it might tend to the convenience of the Administration if the higher cost of living and the other increased expenses which fall on officers posted in the larger towns were recognized by the grant of a definite allowance to compensate this. This is done already in the case of the police in this province, while high house-rents are everywhere accepted as a good reason for compensatory allowances. An extension of the principle as suggested seems advisable on two grounds—

(*a*) to prevent selection to fill a more onerous and difficult post, acting at the same time as a virtual reduction in emoluments, and

(*b*) to allow the Government a wider field of selection for such posts, since, as things are, choice must largely be restricted to officers of high seniority.

(viii) If these concessions were given I think exchange compensation allowance might be reduced to 5 per cent. It would, as already suggested, be restricted to European officers. I do not think that any objection could reasonably be taken to the introduction of this

scale immediately by any officer of less than 15 years' service. In the case of officers above that seniority it might be advisable to give existing incumbents the choice of accepting the time-scale or remaining as they are under the graded system. This would only delay the complete introduction of the new scale for a few years. If it be considered necessary to make the attractions of the Judicial greater than those of the Executive line, this could always be achieved by giving a definite Judicial allowance.

47106. (103) If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—One advantage of a time-scale is that it would automatically tend to restrict recruitment within the limits necessary according to the theory laid down in question (72). Under present conditions the only person who suffers by over-recruitment is the junior officer. There is, therefore, little check on the natural desire of Local Governments to recruit in excess of their minimum needs, for it is always a convenience in administration to have a few extra junior officers. Under a time-scale the results of this practice would very quickly make themselves apparent in their financial bearing.

I think it is most necessary that all members of the Indian Civil Service should not merely have the prospect of rising, but that they should actually rise, to posts of independent responsibility within eight or nine years of joining the Service: this on two grounds—

(i) It is necessary to maintain the waning attractions of the Service in every way possible, and

(ii) it is clearly extravagant to keep a highly paid officer in a post of less responsibility after he has become fit to hold a more important one.

47107. (105) Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—On the general question whether the pay of the Indian Civil Service is adequate, I consider that there is not only a good case for raising it but that it is desirable that it should be raised.

The pay of the Indian Civil Service, almost alone of all the public services in India, has remained stationary in spite of the changes of the last 25 years. No doubt it is still the most highly-paid Service in India, but the position of its members, particularly of its junior members, in comparison with that of members of other services *of the same age*, has very markedly deteriorated. Nor is it the case that members of all other services are altogether satisfied with their existing salaries, as will doubtless be elicited in evidence next year.

The broad fact stands out that since existing rates of pay were fixed the exchange value of the rupee has declined by 33 per cent. while its purchasing power in India has contracted probably to an equal extent and is still contracting. The outlook should not be confined to the present, but should extend also to the probable future, since the recommendations of the Royal Commission will form a basis for the disposal of the questions discussed by them for many years to come. There can be no doubt that the cost of living will rise yet higher in the near future. The growth of industries, the spread of education, the raising of the standard of comfort among the lower classes, all tend in this direction. And this means that the pecuniary attractions of the Indian Civil Service will decline still further.

Meanwhile, the other attractions of the Service have undergone a similar change. It is a commonplace that the work of a Civilian is now much more onerous and exacting than it was in the past, while his responsibilities become heavier as his initiative is reduced. The authority and control which was an attraction in the life to many, has been curtailed; and even the minor amenities of sport and an open-air life combined with a certain leisure are far less than they used to be.

It is of course impossible to modify these changes in any way. They must be accepted as they are. But their effect on recruitment should be carefully watched. Moreover, as a result of recent English legislation, the number of posts in the Home Civil Service has been very considerably increased, thus affording an opening in England, which, to judge by recent results, he finds more attractive than a foreign one, to the candidate for Government employment who used formerly to look almost exclusively outside his own country. It is generally admitted that the Indian Civil Service is less popular than it was. The causes of this are plain and have just been enumerated. Only one of them—the decline in its pecuniary attractions—admits of amendment. It follows that if it is considered desirable to obtain a class of officer similar to those attracted in the past, something must be done in this direction. Ultimately it comes to this. When many of the other attractions of a service are curtailed it is idle to expect to obtain for it the same class of recruits as before, if in addition the salary offered is heavily reduced in value.

On the other hand, it is most desirable that the quality of the recruits should be, if anything, superior to what it has been in the past. It is certain that the percentage of Indians in the higher posts of the public service will be greater in years to come than it is at present. It is therefore of paramount importance that the reduced European element, smaller then than it is even now, shall be worthy of its trust and equal to its increased responsibility.

I put in a copy of a memorial* which I have submitted to the Government of India through the Local Government, and I understand that 46 members of the Service have submitted a memorial in practically identical terms.

47108. (109) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The sterling maximum and minimum furlough allowances are suitable, but I think it would be an

* *Vide* pages 462—467.

improvement to have all furlough allowances calculated in sterling (to be converted into rupees, if necessary, at the ordinary exchange rates) and a uniform rate fixed according to the number of years' completed service of the officer taking furlough. This might be the minimum up to 10 years' service, increasing thereafter by £50 for each year of service up to 20 years' service, when the maximum rate of £1,000 would be reached. I make this suggestion because it appears inequitable that an officer on furlough should suffer because of the slowness of his promotion when on active service. Generally speaking, an officer's expenses when on leave vary according to the length of his service, not according to the rate of his promotion. Of course under a time-scale there would be no need to alter the existing method of calculating furlough allowances, since the principle suggested above would come into force automatically.

47109. (118) Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Subject to the suggestions made in reply to questions (122) and (124), I think the present system of equal contributory annuities to all members of the Indian Civil Service is satisfactory.

47110. (119) Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I do not think it would be preferable. It would cost Government more than the present system and the contribution towards their annuities is not regarded as a burden by members of the Indian Civil Service.

47111. (121) In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—This rule is due to the fact that Barrister Judges can obtain a similar pension after 11½ years' service. In the case of members of the Indian Civil Service, appointed to be Judges of the High Court, I think the period should be reduced to six years, subject to a minimum of 30 years' service in all, in view of the fact that such officers are seldom appointed until they have already served for 25, or approximately 25, years.

47112. (122) Do you consider that a similar system should be applied to the cases of high Executive officers and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.—I think that a similar enhanced pension should be given to all members of Chief Courts and Judicial Commissioners and also to all Executive officers above the rank of Commissioner of a division, provided they have held their offices for not less than five years.

47113. (124) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I think that Government should certainly have the power to retire an officer compulsorily, if found to be inefficient, on a reduced pension. There may be just as good grounds for dispensing with the services of an officer before he has served his full time, as his physical incapacity. The rates of annuity provided in the latter contingency (Article 564, Civil Service Regulations) would be suitable. This power would be exercised presumably by the Secretary of State only. I do not consider that it would often be found necessary to employ it or that its existence would be regarded as seriously reducing the security of their prospects by members of the Indian Civil Service.

47114. (125) Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I do not think that an officer should be able to claim, as of right, to remain on active service after completing 25 years' service for pension. As in the case of officers found to be wholly inefficient, Government should possess the right to call upon an officer who has earned his full annuity to retire, if it is satisfied that his continuance in the Service is unprofitable. It should be at the option of Government to do this at any time up to the period of compulsory retirement.

MR. J. M. CLAY called and examined.

47115. (*Chairman.*) You are now occupying the position of Under Secretary to the Government of the United Provinces?—I was doing so up to the 22nd of last month but I have just given up charge of the office. At present I am in transit on my way to a district.

47116. How many years' service have you had?—Seven.

47117. I notice that you advocate a reduction of the age-limits to from 21 to 23?—Yes.

47118. Could you give us your reasons for selecting this particular age? Is it in order to bring the Civilian out to this country earlier?—That is my idea.

47119. You regard 24 as too old?—I should not be prepared to say 24 is too old. My idea is that a Civilian should as far as possible have the benefit of a full course at the University, and that is practicable, I think, under my scheme.

47120. Will not your proposal for an age-limit of between 21 and 23 cut right through the Honours Course at the University?—I do not think so. It was the one in vogue until six years ago and it was then possible to take a full course, even at Oxford.

47121. Can you take an Honours Course within the ages you have selected?—I did it myself.

47122. With an age limit of 21—23?—Yes. I came out to India at the age of 24.

47123. And you found it convenient to take both the Honours Course and pass the

examination?—It was anything but convenient, but I think it was profitable.

47124. What I want to get at is whether it is convenient?—It is possibly not convenient for both. The Honours Course is apt to suffer, but not to any very great extent.

47125. The majority of witnesses we have had, who have suggested a reduction in the age-limits, have had regard to the difficulties and have proposed the younger age of 17 to 19. I want to get at what your objection is to that proposal?—I have no particular objection to 17 to 19, provided it does not mean that the successful candidate is done out of his course at the University.

47126. Assuming that a three-years' course was allowed afterwards, what would you say?—I should have no objection at all.

47127. Would you say that this was the better course of the two?—That is rather a matter of individual idiosyncrasy.

47128. I want your individual opinion as to whether you think it is so or not. Do you think it a good thing to have a three years' course at the University after passing the examination?—I think on the whole I should be prepared to accept that as at least equally good as the alternative of having a course at the University, and then passing the examination.

47129. You do not propose to increase the period of probation by more than a year?—That is so.

47130. Did you find the single year of probation useful to you?—Yes, and I think it could have been made more useful.

47131. Did you find it sufficient? We have had much evidence from all the Provinces pointing to the fact that a year is practically useless?—I think it may be made extremely useful, provided the successful candidate, on coming out, is not at once turned on to do ordinary work to the exclusion of his further study of the various subjects.

47132. We have been told that in the first six months after the examination the Civilian requires a rest and does very little work, and then there is only six months left?—I should have said that most men begin to work after Christmas at all events and they then have a full ten months.

47133. What is in your mind when you say a year is sufficient as opposed to two years?—My idea is that it is desirable, especially if you take the higher age, that the Civilian should come out as soon after passing the examination as is compatible with his having acquired some rudiments of the knowledge that he must have before he can be set to do ordinary work in this country, but I also combine with my suggestion a further suggestion that he should have a period of about a year in which he should get further instruction before he is really set to do ordinary district work.

47134. So that you really want him to have his University Course?—Yes.

47135. In your answer to question (93) you say you think that officers in the first years of their service should be treated with greater liberality. Could you tell us something about the initial expenses of officers coming out to India under present conditions?—It varies very much.

47136. Are there any heavy expenses which must be incurred at the beginning of an officer's service?—That very much depends on the extent they are provided for when they arrive in this country. An officer usually has to provide himself with a fairly complete camp outfit which costs him something, and one or two horses.

47137. There are no allowances for that?—Not in this Province.

47138. You have no allowances at all?—We have the ordinary travelling allowance, but that is only supposed to cover the actual cost. There is no such thing as tentage as they have in Bombay. We are provided with tents by Government, so that does not cost us anything. By camp equipage I mean furniture, outfit, and so forth, and Government does not provide us with that.

47139. What is it you have to provide yourself with which Government does not provide?—Furniture and horses are the main items.

47140. What approximately would that cost?—It depends mainly on what kind of horse you keep. The price of horses has risen considerably in the last five years. Also it depends on whether a young officer intends to play polo.

47141. Can this be regarded as part of the necessary outfit of an officer?—No, but still he will probably have to pay Rs. 400 or Rs. 500 for a reasonably sound horse to get about his district and most Civilians are sent into camp almost as soon as they join their districts.

47142. Would you say that the inevitable initial expenses embarrass the young officer in his early years?—I should not say that they do very seriously, if he is a careful and economical manager of his affairs, but I think it certainly is a distinct pinch in his first year.

47143. You propose a higher rate of salary?—That was my object in proposing it, but I have not suggested a very large increase.

47144. You do not suggest that there is anything required in the direction of outfit and admit that Government provides what is necessary, and that the rest would be the ordinary necessaries that an officer might be expected to provide for himself?—He has no other extraordinary expenses except the ones I have enumerated. It has also to be remembered that in his last year in England the allowance which Government gives him by no means covers his necessary expenses.

47145. In your answer to question (99) you point out that the present system of working the cadre has twice broken down in the last forty years. The present scientific system was introduced in 1900, was it not, so that it has hardly had time to prove itself either way?—That is so.

47146. To what in the main do you attribute the existing block in promotion?—To the congestion of officers coming in to make up for the losses sustained in 1857.

47147. You would like to see a time-scale?—Yes.

47148. Does that represent a general feeling?—I know a considerable number of junior officers who are in favour of it, but I should not be prepared to say it was the general feeling

without definitely ascertaining the views of every one.

47149. Your proposal is for a straight through time-scale with no provision for selection?—That is so.

47150. Do you not think it would be better to have a time-scale for each class of appointment separately. For example, the assistants would have their time-scale, and then would come under a process of selection before they passed into the higher class of Collectors, and would then start on a fresh time-scale, and so on?—My idea of a time-scale would be that no increment would be ever given unless it was earned.

47151. You mean that nobody should get any rise unless they came up to the standard of ordinary efficiency, but would you not have selection like there is now for the position of a Collector, and would it not be only after such selection that an officer would be able to pass into the higher range of the time-scale?—Under my system he might be drawing, in time of slow promotion, considerably higher pay before the time of his selection arose than he would under the compartment system of the time-scale. At the present moment there are a number of officers in their 13th, 14th, and 15th years who are not yet promoted substantatively to the ranks of second-grade Collector, and under a time-scale they would be drawing Rs. 1,600 or Rs. 1,700 a month, a very much higher pay than would be fixed for that grade of officer under the compartment system of time-scale.

47152. Under your scheme you might have the anomaly of an officer, who had not been selected for a superior post, getting higher pay than one who had been selected?—That I consider would be Government's fault for over-recruiting. It seems to me to be wrong to penalise a junior officer because a mistake has been made in the past in the number of Civilians selected for a particular province.

47153. But would there not be the danger I have mentioned, namely that the less efficient officer might be receiving higher pay than an officer who had been specially selected for good work?—If you did not select him you would stop his increment.

47154. Then you come to the compartment system. He will not go above a certain level of salary until he gets selected for the higher post?—I am not contemplating that there would be a very large number of these less efficient officers who would be stuck when they got to the efficiency bar. It seems to me it is no reason why the men below them should also be kept down simply because there were no vacancies in the higher compartment.

47155. You think that the block would still exist with the compartment system?—It certainly might.

47156. But nothing like to the degree it does at present?—I do not see that the introduction of a compartment system would prevent the possibility of blocks recurring.

47157. If you go through the different grades automatically, instead of it being left as now to the ordinary course, there must be greater regularity in the system than there is at present?—The juniors cannot get into the last grade until there are vacancies under the grade compartment system. They might reach the maximum under the lower time-scale and stay there for several years.

47158. You say that the position of the members of the Service, and particularly of the junior members, in comparison with that of members of other services of the same age, has very markedly deteriorated. What do you mean by that?—I mean that the most recent block has occurred since the change in the age-limits, and therefore junior Civilians who are now affected by it are considerably older men for their service than those who suffered by the previous block in the seventies. One has also to remember that the position of junior members of other services has been improved by an increase in their emoluments.

47159. Have you any figures to bear out your statement that the emoluments of other services are more favourable for the junior officer?—I said more favourable in comparison.

47160. To what extent do you consider, and on what grounds do you say, that the junior officers in the Indian Civil Service are relatively in a worse position than the junior officers in other services?—What I meant was that they are relatively in a worse position than they were twenty years ago.

47161. You mean that the position of the officers in the Service to-day is worse than the position of the officers in the service twenty years ago?—Yes.

47162. The block is heavier?—Yes, and also there have been changes. The junior Civilian is older at eight years' service than he was in 1890. At eight years' service he is 33 and the Educational Officer of 33 and the officer of the Public Works Department or Forest Department is probably better off than he was 20 years ago; he is actually getting a higher salary than he did then.

47163. So that he has less salary and less responsibility for his age than he had before?—Yes, that is one of the effects of the block.

47164. *(Lord Ronaldshay.)* I want to see exactly what the position of a young Civilian is when he comes out here. He gets no grant for his outfit in the first instance?—I meant by that his outfit in England.

47165. Could you give me a rough idea of what the outfit for a young Indian Civilian would cost?—I should be inclined to say that he would get a very sufficient outfit for £40 or £50 in England.

47166. What would you get to cover your passage out here?—I believe you get a first-class ticket.

47167. What happened in your case?—They gave us £100 down at the end of the year when we passed the examination and that was all we got for the whole probation in England.

47168. Was that the only allowance you got during your year of probation?—Absolutely the only one.

47169. Nothing for your ticket at all?—Nothing at all. It was about one-fifth of what it actually cost me in my last year. I know personally that that has resulted in some Civilians starting their service in debt.

47170. From what you said just now I

understand that by the time you actually set foot in India your last year in England and your journey out to India had cost you about £400?—Rather more. That includes fees at the University for tuition and so forth, and the various expenses.

47171. When you got here you had to buy a horse?—Yes.

47172. What did that cost you?—Horses were not so expensive then. I paid Rs. 600 or Rs. 700 for horses. I also bought camp furniture.

47173. Horses and camp furniture might have cost you another £100?—Perhaps about Rs. 1,000, but I do not know whether you can do it for that now.

47174. So that by the time you started drawing your salary out here you were very nearly £500 out of pocket?—Yes.

47175. That is what it actually cost you apart from any grant you got from the Government?—About that.

47176. If you had been a man of no means at all, on your initial pay of Rs. 400 a month it would have taken you a considerable time to reimburse yourself for your out-of-pocket expenses?—A couple of years at least.

47177. With reference to the probation and training of a young Indian Civilian, in answer to question (21) you advocate the inclusion in the syllabus of the open competition of Persian, and you also think that Eastern classical languages should receive the same marks as are given to Greek and Latin. Do you advocate that change simply out of a sense of justice to Indian candidates, or partly because you think that the young Indian Civilian ought to have, if possible, a rather more specialised form of education to fit him for his duties out here?—My object was the first of those two, a feeling of justice to Indian candidates.

47178. On the ground of justice only?—That is my idea.

47179. You are satisfied with one year's probation, and I therefore assume that in your opinion, the upbringing which the young Indian Civilian gets to-day is sufficiently specialised to fit him for the duties which he will have to perform?—I think so.

47180. You would not advocate any further specialising?—No, I do not think it is necessary.

47181. With regard to his training when he gets out here, I see you have an alteration to propose to the present system. You suggest that all the newly-joined assistants should undergo a year's training at one centre under a Magistrate specially deputed for the purpose. Is it your idea that a Magistrate should be on deputation and should devote the whole of his time to training these young men, or should he be filling a light charge and merely training these young men incidentally to his ordinary district work?—I think it would require a whole-time officer to do the work satisfactorily. He would have about ten young Civilians on his hands in this Province, and I think he would find that quite enough to occupy his whole day.

47182. He would go into some other Collector's District with his school of pupils?—Yes.

47183. How would he set about instructing them in practical work?—It would be his duty to see that they attended the Courts; he would also be able to take them out in parties into camp and give them practical training in Land Record work and inspection work. He would also have to have one or more Munshis to see that the vernacular part of their training was adequately carried out. I have indicated in a very brief form the outlines of it. I have no doubt you are aware that there is already in existence a school of this kind for the benefit of young Police Commissioners at Moradabad.

47184. But that is a fixed institution?—Yes.

47185. It would be necessary to have a similar one and you would have to have a certain number of houses for the young Civilians to live in. This deputed Officer would really act as a sort of tutor and would take these young men round the districts during the cold weather and show them how the work was performed by the District Officer and Sub-divisional Officer?—And make them do inspection work for themselves. That is the training every Indian Civilian is supposed to get at present, but owing to the fact that the District Officers are so hard-worked and cannot give sufficient time to it, the instruction imparted is frequently inadequate.

47186. With regard to the special training of those officers who select the Judicial side, I understand you advocate a system of study leave?—Partly. As a matter of fact I do not profess to have any specialised knowledge of that subject. It does not seem to me desirable that an officer should be required to choose between the Executive and the Judicial until he has been in this country for four or five years.

47187. With regard to the complaint made to us that members of the Indian Civil Service have not a sufficient knowledge of Civil Law, is it not a fact that in these Provinces you have quite recently introduced a very considerable curriculum of Civil Law into the departmental examination?—That is so.

47188. How long has that been in force?—It was introduced on the 1st April 1912.

47189. Have you had any opportunity of judging of the results of the introduction of such a subject into the departmental examination?—Nothing beyond the complaints of the examinees.

47190. Have the examinees found any difficulty in passing these examinations?—As a matter of fact the Legal Remembrancer who conducted the examination said he was astonished at the progress they seemed to have made, but a considerable number have still to pass it.

47191. A considerable number did not pass?—A considerable number passed by the lower standard, but they are required to pass by the higher standard, and they will have to undergo the test again in a few days' time. Of course it is impossible to say what general results it has had because none of those candidates have been in a position to profit by their increased knowledge.

47192. But the result obviously will be that these men will now be turned out with a very much greater knowledge of Civil Law than they have had in the past?—Yes, they will have a greater acquaintance with the texts and with the main commentaries.

47193. Can you tell me how many inferior

posts have been listed in this Province?—I think the number is 13.

47194. Are those all posts which were joint magistracies?—The majority of them were.

47195. I see there were nine Joint Magistrates, two Judges of Small Cause Courts, two Assistant Settlement Officers, and one Assistant Director of Land Records. They correspond approximately to the grade of a Joint Magistrate?—They do.

47196. What happens to the recruit when he first gets into the Provincial Civil Service?—He is a third-class magistrate.

47197. And then he passes the departmental examinations which are the same as for the members of the Indian Civil Service?—Yes.

47198. When he has passed those examinations he is invested with powers of a first-class magistrate?—Yes. He has to exefcise the powers of a third-class magistrate for a certain period, and then the powers of a second-class magistrate for a certain period, and then he is eligible.

47199. How long does he exercise the powers of a third-class magistrate?—I think it is six months, and second-class for one year.

47200. Assuming he has passed his departmental examinations how long before he is made a first-class magistrate?—About two years.

47201. As soon as he is a first-class magistrate would he be eligible for promotion to one of the inferior listed posts?—He would ordinarily be in the lowest grade of Deputy Collectors. The lowest of these posts is listed in the Rs. 400 grade. He could get special promotion if he were a man of special ability, but I do not think normally he would get to the Rs. 400 grade for a considerable number of years.

47202. Assuming that the promotion was purely by seniority he would not be eligible for one of these inferior posts until he had reached the fourth grade?—I am afraid I cannot say offhand.

47203. (*Mr. Sly.*) Can you tell us the University where you were educated?—Oxford.

47204. What Honours Course did you take there?—Greats.

47205. What age were you when you finished that course?—I finished it at the end of my 23rd year.

47206. Do you consider it desirable that an Oxford Greats man should have two chances of getting into the Indian Civil Service, the same as a man who takes a three years' course at present? If your age-limits of 21—23 were adopted a man taking "Greats" would only have one chance of getting in?—Yes, normally.

47207. Does that influence your opinion on the age question at all?—No, I do not think that it should have any influence.

47208. Where did you spend your probation?—At Oxford.

47209. With regard to the training you received when you came out to India, on arrival were you posted to a district?—I was.

47210. Can you tell us exactly what was the value of the training you received in that district?—I was the only Civilian posted to that district and I had the good fortune to be posted under one of the most able Collectors in this Province. I went into camp with him for the whole of the cold weather and he took me round and practically gave me the kind of instruction I have suggested should be given by a specially deputed officer. He showed me how the various inspections were done and then made me do them myself. Afterwards he saw what I had done and pointed out what mistakes there were. I was also turned on to try simple cases at an early stage, partly with a view to gaining experience and partly with a view to learning the language. The greatest difficulty was perhaps in making progress with the language, because I was posted to a part of the Province where Hindustani was not commonly spoken.

47211. Did you consider that system of training satisfactory?—There were inevitable gaps in a training like that. There is no training whatever in Civil work. Under the present system a young Civilian would be required to attend Civil Courts during the course of his first hot weather in the country.

47212. What facilities did you have for learning the language?—The only facility was that I had to speak it, because none of my servants or clerks could speak any English at all.

47213. Could you get a very satisfactory teacher of the language?—I made what shift I could with the knowledge I had acquired in England, and one gets along after a month or so.

47214. Did you find the knowledge you had acquired in England was useful?—I found it useful, but I am sorry to say that in those days the teaching of Hindustani at the University of Oxford left a good deal to be desired.

47215. Is there any general impression amongst junior Civilians that they come out rather too old to adapt themselves to new conditions?—I do not know whether the junior Civilians themselves feel that, but it is frequently said that they do.

47216. Can you give us the opinion of the junior Civilians?—Speaking for myself I do not think I held that opinion but I came out one year younger than the present generation.

47217. Do you think there is anything in the theory that Civilians come out rather too old and are disinclined to learn the routine methods of work that must be learned in the junior years of their service, such as inspection of *patwari* papers and other matters?—I think that is very largely temperamental. I admit that a year or two makes a great difference. The man of 23 is probably a great deal more adaptable than the man of 25.

47218. Is there any feeling amongst the junior members of the service that with the high educational tests they have undergone, they are too highly educated for the class of duties they have to perform at their start in this country, and that they get a distaste for this particular work?—If there is such a feeling it is wholly unreasonable. It is obviously necessary that a man must learn his work from the bottom. They would have to do the same in any business in England.

47219. You do not think there is that feeling?—I have come across people with that feeling, but I should not say it was a general one.

47220. Is there a feeling amongst the junior Civilians that they are sick of examinations and training and wish to start practical work without any further probation?—I do not think anyone likes the departmental examinations; but I do not think it ought to be beyond the capacity of anybody to get through it without undue fatigue. People who do not try find it necessary sometimes to go up a most inordinate number of times.

47221. Recommendations have been made that all probation, departmental examinations, and the like, under the present age-limits, should be abolished, and that the right course is to bring the candidate to India,—immediately after the open competition, and start in the district his practical work. Does that suggestion commend itself to you?—The great difficulty about that is that you have no uniform criterion of when a man is really fit to be invested with higher powers. It depends entirely on the report of the officer under whom he is serving, and that must vary enormously.

47222 You would like to substitute for it a system under which all junior members of the service would be put under a special officer?—I would like to have the same system carried out effectively.

47223. Would it be the same system?—Practically the same. There would be certain gaps to be filled up and certain deficiencies to be made good.

47224. What would be the effect on the individual officer of a fairly substantial number of junior officers living together in one district?—I think it would be very good for the officers themselves.

47225. You do not think that they would be more likely to adapt themselves to Indian conditions and get a knowledge of the Indian language and people if scattered over several districts?—They would be scattered over the districts within a very few months.

47226. Your scheme is practically a scheme for a second year's probation in India?—Yes, more or less. Not that I think it would make any difference to the administration, because the amount of work a junior Civilian can effectively perform in his first year is extremely small.

47227. It would also entail a certain amount of regular instruction in law and language?—I should like it to do so.

47228. With Professors appointed for the purpose?—I hardly contemplated anything so elaborate as that. I would certainly have a competent teacher of the vernacular.

47229. And a competent teacher of Law?—I should hardly like definitely to lay that down; that would be probably a matter of experience.

47230. There is really very little difference between the scheme you suggest and the scheme which has been suggested for a central institution for training in the province?—Not very much. Perhaps mine is less elaborate.

(Adjourned for a short time.)

47231. *(Mr. Macdonald.)* When you sat for the examination it was a combined examination for Home and India?—It was.

47232. Would you mind my asking if you chose the Indian Civil Service before you sat for the examination; and would have come out to India irrespective of the position you took in the examination?—Yes, I should have.

47233. Do you know if in your time there were men who chose the combined examination with the intention of taking the "Home," but not being able to get the choice of a Home position took the Indian one?—I cannot say from personal experience. I know a considerable number of candidates who passed in the examination above me did not take India but stood out for another chance in the succeeding year.

47234. They could have taken India if they had liked?—My position on the list was 39. I was the twenty-first on the list for India. Some of them were rejected on medical grounds, and a number of them may have stood out for possible chances in the Home Service later in the year; but others definitely waited for another chance.

47235. Do you know of other kinds of cases where a man really wants to take a position at Home, but finding that he cannot on account of his position, accepts a position in India?—I have certainly heard of them; but I do not think I have actually met anybody who has done so.

47236. Will you tell us what the attraction of the Indian Civil Service was to you: was it that you really liked India and wanted to serve in India?—That was partly the attraction. My father was in the Indian Civil Service before me.

47237. So that you started with a general prejudice in favour?—Yes.

47238. Did the £1,000 pension loom pretty large in your mind?—I cannot say that it did very much.

47239. Supposing the £1,000 pension had been £800, speaking simply from your point of view, would that have influenced you very much: what effect do you think it would have upon the minds of possible candidates?—I doubt if at the age one goes in for the examination one worries about what is going to happen in 25 years' time.

47240. You do not think the pension has very much effect upon the Service?—I think its reduction would have *pro tanto* some effect upon the popularity of the Service.

47241. Did you assume when you were coming out, or when you made up your mind to stand for the examination that the pay was to be a substantial one and was worth having?—I assumed that it would leave one in a position where pecuniary worries would be practically non-existent.

47242. And that so far as news comes back from India to Oxford and Cambridge that the pay is not so big as it used to be, that has a bad influence upon would-be recruits?—I do not think at the time I went in for the examination those reports were coming. I was certainly told before I actually came out that there were in certain provinces blocks in promotion but I was given to understand that that would evaporate within a short time.

47243. When you were at Oxford could you tell us what sort of reputation the Service had? Was it the sort of thing that the student who wanted to do some good in the world felt that it would be a good thing for him to go in for? Had it a good reputation in that general sort of way?—I think so. I think it was regarded

as a fine career open to a man upon a competitive test.

47244. That it was good not merely from the point of view of emoluments, but good because it was a magnificent field for a young Englishman who wanted to do something during the prime of his life of which he could be proud at the end?—I think that is the aspect which most people have in view: at any rate they certainly used to have that in view.

47245. Have you been at Oxford recently?—I have been Home once; but I was only at Oxford for a short time.

47246. May I assume that you talked about your Service?—I was only at Home for a few months. My stay was of the briefest. I was there in the vacation to start with, and I did not have an opportunity of meeting many undergraduates?

47247. Did you find that any change had taken place so far as the general reputation of the Service was concerned when you went back to Oxford?—I am afraid I cannot say: I had no opportunity of judging.

47248. In your answer to question (45) you say you are in favour of probation in England, and in question (53) you repeat that the probationer's course of instruction can better be spent in England than in India. But in answer to question (60) do you not somewhat modify that by making a suggestion to us which practically amounts to a probation in India?—Yes. I mean the second probation to be not so strictly probation as early training. I rather contemplate that the first year in India should be spent partly in practical work and partly definitely in learning the work which the young Civilian will have to perform.

47249. Am I right in saying that in your mind you divide the period between the successful passing of the competitive examination and the time when real responsibility is put upon the shoulders of the Civilian, into two sections: the first section when he continues his general training and the second when he becomes an expert in the practical details of the work he has got to do?—I contemplate that the second probation should be preceded by investiture with certain powers which would enable him to do a certain amount of practical work as well as continuing his training.

47250. You put his hand to the plough, but there is another hand ready to take hold of it?—Yes.

47251. Let us keep these two things in mind for one minute. Do you think that you could get a man who has passed his examination more interested in India as an idea before he comes out; make India seem more attractive to him than some course of jurisprudence, or attending courts to take notes of proceedings, is likely to do? Could you enliven his imagination and his sympathy with India by introducing him to Indian ethnology, by giving him the first volume of the last but one census to study? Do you think it would be profitable for us to consider recommendations in that way?—I should have thought that most successful candidates would have done that on their own initiative, assuming them to have taken the Indian Civil Service because they are genuinely interested in the country and their career is to be spent there.

47252. Assuming the right sort of man, everything comes. Assuming the man not to be quite so perfect as that, do you think that the attempts which are made during the first section of his probation to make him generally an efficient officer for India are as good now as they can be?—I certainly think your suggestion as to some book on ethnology would be good. I do not know whether it will be necessary to examine him in it, at the end of his year's probation in England. My reason for not insisting so strongly upon it is that I should be loth to overload the course during that preliminary year. The successful candidate is very tired of examination of any kind by the time he has passed the open examination; and he is rather apt, when he sees a large area of subjects, to pick out the few he must pass and neglect the others. The mere fact that they are forced upon him would detract from the amount of interest he might otherwise feel in them.

47253. If we did pursue this subject and went into it a little more in detail, I suppose you would agree that it would have to be very carefully done, not to make it a continuation of his book learning, but to enliven his imagination?—I would suggest a series of lectures.

47254. And not necessarily an examination at the end of it?—Not necessarily.

47255. A series of lectures and communication?—Yes, and suggestions perhaps as to books in order to carry on instruction. That, I think, would be valuable.

47256. If we considered that that were possible, from your experience, and with your fresh regulation you would agree with it, would you not?—I would most warmly support it.

47257. In answer to question (93) you say, "I would raise the pay of newly-appointed Assistants to Rs. 500, giving them Rs. 600 when they are invested with full powers." Would you do that if the man was younger than he is now when he comes out? Supposing we lowered the age and brought him out two years before we do now?—His expenses would be just the same.

47258. Would his expenses be the same here?—I think so.

47259. Supposing we adopted the suggestion you make in answer to question (60) his expenses would not be so much, would they?—No, certainly they would not for the first year. My idea is that he should have slightly raised emoluments when he is actually on his own. If he was at some centre, he would naturally have lower expenses. There would be some sort of mess on military lines which would of course reduce his expenses.

47260. You are strongly of opinion that if no change is made in respect of the present method the salary must be raised as you suggest?—Yes, I think it would be desirable.

47261. Is it as important, do you think, to raise the higher paid grade salaries, say over Rs. 1,000, as it is to raise the salaries paid in the lower grades? Let me put it in this way. Supposing it was impossible for financial or other reasons to raise the pay all

along the line, and you were a member of this Commission, with your knowledge of the needs of the service, at what point of the grading would you say the increments of the salary ought to be given?—I should still adhere to my opinion with regard to the initial pay. I think one other point where the shoe rather pinches is the case of the earliest stages of officiating in charge of a district or as a Judge. That is when the first large additional expense usually falls upon the comparatively junior Civilian.

47262. How much do they get at that stage?—In this province the most junior officiating Magistrate or Judge gets Rs. 1,277 per month.

47263. That stage you would also increase?—Personally I have never drawn that pay.

47264. You think that is the stage where the pay should be increased?—Yes.

47265 (*Mr. Fisher.*) Mr. Macdonald has asked you some questions about the way in which the service was looked upon at Oxford. Can you tell us whether you think the competitive examination was entirely satisfactory in your time? We have had complaints that the character of the papers was not nearly so satisfactory as the character of the papers set at the Honours School at Oxford?—There was a very marked difference in those days.

47266. Can you describe the character of the difference?—The great difference was that you were expected to show a great deal more of what I may call book-learning as opposed to the fruits of education for the Indian Civil Service examination: you were required to do as many questions as you could; so that really the object was to get through as many questions, throwing as much information of various kinds on to your paper, as you could in the time allowed.

47267. That encouraged cramming?—Naturally.

47268. Do you know, at all, whether the present examination is open to the same criticism?—I have not really heard very much about that; but I understand the present system has improved things to a great extent.

47269. It has improved matters, because the number of subjects is limited?—Yes, that is so.

47270. Have you heard any recent recruits in the service speak about the competitive examination?—I cannot say that I have; but I think they usually refrain from discussing examinations.

47271. It is a painful subject. You recommend the inclusion of Sanskrit and Arabic; that the marks given in Sanskrit and Arabic should be equal to those given for Latin and Greek?—Yes.

47272. Have you any knowledge of Sanskrit and Arabic?—I have no knowledge of Sanskrit and only a small knowledge of Arabic.

47273. Your recommendations are based upon?—Purely altruistic.

47274. You wish to give the Indians a better chance?—Yes.

47275. Do you think, as a matter of fact, that the Indian candidate for the Civil Service would be best equipped for that Service if he picked up a thousand marks for Sanskrit or Arabic, or if he picked up a thousand marks for some Western subjects? In other words, looking at it from the Service point of view, do you think it is to the interest of the Service, apart from equity, that its members should receive what I may call mainly an oriental education?—I have looked at it from the point of view that the study by the Oriental of his two great classical languages should mean a more or less equivalent intellectual training to the study by the Occidental of his great classical languages, Latin and Greek; and that partly influenced me in my suggestion.

47276. I was considering the alternative studies rather in their bearing upon what I may call the intellectual homogeneity of the Service?—I think that is a criticism of considerable weight against my suggestion.

47277. We have had a criticism brought from certain quarters against the Service, that the Indian Civil Service has got out of touch with the intellectual classes in India. The criticism is, more or less, of this kind. There are two Indias, agricultural India which the Service knows and with which it mainly deals; and the intellectually educated India which is becoming more and more important, and the Service has got out of touch with it. Do you think there is any substantial truth in that general statement?—I should hardly like to venture upon an opinion with my present experience. I should hardly think that there was any very strong ground for it in this province. I hardly think that anyone with so short an experience as I have is qualified to express a very definite opinion upon the matter.

47278. But you would admit if there is any truth in that allegation that something might be done to remedy that state of things?—I think something ought to be done, certainly.

47279. And that perhaps one of the means by which that end could be effected could be through the study of the classical Indian languages by English members of the Service?—I think that is possible.

47280. Do you think it would be at all desirable to create greater opportunities for study leave at a later stage in an officer's career, in order that he might improve his knowledge of Sanskrit and Arabic?—I do not know whether any further extensions of the present regulations are desirable. I am not very well acquainted with those regulations. I fancy they are fairly liberal already.

47281. Referring to another subject touched upon by Mr. Ramsay Macdonald, assuming that the Service has lost something of its popularity, what do you think would be the best means which this Commission could take to remedy that: an increase in the pay of the Service, an improvement in the furlough rules, or some re-arrangement as to pension?—It seems to me that there are so very few means open. The causes of the reduction in the popularity of the Service are such that many of them cannot possibly be touched by anything which the Commission can recommend. That has simply got to be faced; and the three methods which you have suggested are practically the only ones open. I should have said myself that the one most likely to attract notice would

be the raising of the emoluments of the Service. I do not know whether the question of pension bulks very largely in the minds of intending candidates.

47282. Do you base your opinion that the Service has declined in popularity upon the fact that the men choose the Home Service now in preference to the Indian Service?—I think that is one indication.

47283. You have other indications as well?—As I say, it is difficult for one without further experience to judge a man's quality within a few years of his taking up his work in this country, especially in this province where he is so often handicapped by being kept hard at work almost from the first. He has less leisure than he would like to qualify in languages and to get to know more about the people with whom he has to deal.

47284. One can hardly help realizing that there seems to be a considerable decrease in the popularity of the Service; but would you be surprised to hear that as far as the candidates from one English University are concerned, there is a general opinion that they have not fallen off in point of merit?—I should not be surprised to hear that.

47285. And that there is no great reduction in the number of candidates at the examination?—No, I should not expect that. It is the quality which has been mainly criticized.

47286. (*Mr. Madge.*) Apart from the objections to simultaneous examinations which you have given us, do you think it is possible to have a perfectly fair system of simultaneous examination in this country?—I think it is extremely difficult.

47287. Do you think it is possible, taking everything into consideration?—It is certainly not possible to have a *perfectly* fair system.

47288. With reference to the allegation that the Service is not in touch with the higher intellectual life of the country, apart from any concession which you might make to remedy this evil along the educational line, do you think with reference to the actual proposals, that any concession upon purely political grounds, would involve either a departure, or something which the masses needed or which the Government thought was necessary for the welfare of the masses?—I hardly think so.

47289. What I mean is, supposing any concession on political grounds was granted, do you think it would be in the interests of the masses to have these changes?—It is extremely hard to say what the masses really think or what they really wish.

47290. What the Government may think for their welfare if they cannot think for themselves, because they are practically voiceless?—Perhaps it would be simpler if I did not express an opinion.

47291. In your answer to question (9), you object to reserving any proportion of appointments for candidates who have passed lower than the others. I would ask you whether this objection to a reservation to any particular case would not be applicable to reservation in any case at all. Before you answer that I will refer you to question (24) where you say, "The principle that the number of Europeans employed in the civil administration should be fixed at the minimum consistent with the maintenance of western methods and ideals in the administration is demanded by considerations of economy." If you had said it was demanded on administrative or political grounds I could understand it; but when you put it on the mere grounds of economy does not the reservation in any case apply to all cases on mere grounds of "economy?"—I merely mentioned economy as one of the main grounds. It does not, in my view, exclude the others in my answer to question (24).

47292. Then do you think that the reservation in this case, in answer to question (24) does depend upon other important grounds?—Certainly.

47293. As regards the line drawn at eight years' service, between the inferior and the superior service, the line is purely imaginary. There are grievances about men who are supposed to rise to a particular salary in a certain number of years. Do you think if the time-scale to which you object on other grounds were confined within this one compartment, it would be free from objection?—I have not objected to the time-scale. I have advocated it.

47294. (*Mr. Chaubal.*) If a person comes at the top of the list in the result of the competitive examination, and chooses the Home Service, is that, necessarily, an indication of the attractions of the Indian Civil Service becoming less?—Not necessarily.

47295. As I have followed your answers, they come to this, that there are certain young men with a spirit of adventure, a spirit for going abroad, and it might depend principally upon the temperament of the man that he makes his selection for the Home Service or for the Indian Civil Service?—Of course the question of temperament must enter very largely into it. But this is a question of proportion.

47296. Simply because you see that for two or three years certain persons coming at the top have been accepting the Home Service, that would not necessarily be an indication that the Indian Civil Service was getting less attractive, would it?—If I saw that for several years a large number of highly placed candidates refused to come out to India, I should draw one conclusion only from that.

47297. That is my next question. Do you think that the reduction in the number entering the Indian Civil Service is enough to justify you in drawing the conclusion?—By itself it might not perhaps be, but coupled with other indications it is.

47298. Has the number of instances every year of persons selecting the Home Service in preference to the Indian Civil Service been so large that you would be justified in drawing that conclusion?—I am afraid I cannot quote you figures. I have seen them every year, and I have certainly drawn the conclusion that it is a sufficient indication to enable one to say definitely that at all events there is some decrease in the popularity of the Indian Civil Service.

47299. It was not considered to be less popular in your time?—No, I do not think so.

47300. So that this has grown within the last eight years?—Within the last nine years.

47301. How many Indians do you think there were studying at Oxford during the time you

were there?—I am afraid I cannot tell. There were several.

47302. Am I right in understanding from your written answers that so far as you would desire a larger employment of Indians in the Service, you would like to see it brought about by a system of scholarships enabling Indian students to go home?—I have suggested that as one of the means by which the number of Indians in the superior Service of this country might be increased.

47303. Rather than have a simultaneous examination, or separate examination, you would prefer a scheme for enabling the best men from the Indian Universities with State scholarships to come and compete at the English examination?—That is my view, considering the present condition of education in these provinces.

47304. Supposing such a scheme of scholarships was started, at what age would you give them to Indian scholars?—I have not given that matter very much attention. There are already a number of rules governing the grant of very similar scholarships. They would afford a useful criterion.

47305. Would you rather have the scholarships after a man has graduated here in an Indian University, or would you have them at an earlier age? I ask that because it has been suggested that boys of 13, 14, and 15 should go.—I should think that would be too young. I am not sufficiently conversant with the subject, to be able to say.

47306. In answer to question (103), when you compare this Service with the other Services, you say: "No doubt it is still the most highly-paid Service in India, but the position of its members, particularly of its junior members, in comparison with that of members of other Services *of the same age* has very markedly deteriorated." Can you tell me roughly what other Services you are thinking of, which, as compared with the Indian Civil Service, carry higher emoluments?—They do not carry higher emoluments; I merely mean relative comparison. I was thinking of some of those Services in which the emoluments of officers concerned have been raised within the last 20 years. There are several I could mention, but I think it is hardly necessary.

47307. They did not compare in the same way with the Civil Service emoluments before the rise?—No. Clearly if their emoluments have been raised and those of the Indian Civil Service have not been raised, the position must be as I have stated.

47308. When you said that the question of emoluments would, perhaps, be the most important for improving the attractions of the Service, did you mean throughout, or only in the first year?—I meant throughout. I think there is distinctly a case for that. I have also indicated in my reply to a previous question where the rise was more particularly required.

47309. In the earlier portions?—Partly there, and partly where an officer begins to act definitely in one of the superior posts.

47310. Supposing salaries above Rs. 2,000 were not touched, but the earlier salaries when a young Civilian comes out here first were increased; that would be more satisfactory, would it not?—Every improvement is, *pro tanto*, to be welcomed. It is a question of degree and financial consideration.

47311. It would be considered to be a substantial relief if the starting emoluments were larger than they are at present?—It is not a very substantial one. It is something, and I think it is one of the most desirable ones.

47312. With regard to your answer to question (88), do you agree with this opinion which has been given to us by another Government officer: "Deputies are more likely to acquit in excess if they have an acquitting Sessions Judge?" It is not in your evidence, it was given by another witness.—I understand that. I should not have ventured upon such an expression of opinion.

47313. Supposing Deputies were put under Sessions Judges, the fear that the witness expressed was that the "Deputies are more likely to acquit in excess if they have an acquitting Sessions Judge"?—I do not think my opinion would be very valuable, even if I had one.

47314. Have you any opinion upon this point? Although nobody thinks the District Magistrate would bring his opinion to bear upon the lower Magistracy, the lower Magistrates, the second and third-class Indian Magistrates, are influenced in the disposal of certain cases on account of the view which they think is held upon those points in higher quarters?—Speaking as a lower Magistrate I can confidently say that I have never been in the slightest degree influenced. I was never aware of the view of the District Magistrate until he upset my decision.

47315. I am speaking of Indian Magistrates?—There, again, I do not think it is much use asking me.

47316. You must now have some Indian Magistrates under you?—I have once been in that position as sub-divisional officer, but they were mostly Honorary Magistrates, and of course, they are in an independent position.

47317. I am putting to you a concrete case. I am thinking of cases coming under the Abkari and Forest Acts, cases of that kind come before second and third-class Magistrates. Is there any justification for the fear that the Magistrates dealing with those cases have more of an eye as to how the decision would be regarded by the Executive superiors than the merits of the case deserve?—Nothing in my experience would justify me in forming that opinion.

47318. My question was not in respect of your own work, but in respect of the Indian second and third-class Magistrates?—I meant that I never had any experience of a case in which a second or third-class Magistrate in petty cases was influenced in the way you suggest.

47319. (*Sir Murray Hammick.*) In answer to question (10) you say that you would prefer a system of nomination and examination in this province separately. Have you in your mind a system of recruiting to a kind of Commission for each province, that is to say, admitting outsiders into the Civil Service of one province with only a liability of serving in that province in the same way as Commissions like those of Burma?—That was my idea; that if it was

considered necessary to have any system of local recruitment other than that at present existing it would be desirable to adopt a provincial basis.

47320. Do you think it would be possible to have a scheme by which after taking away, or rather bringing back, those junior posts which have been merged into the Provincial Service and putting them on a separate list, as Assistant Collectors' posts, it would be possible to have a system by which the Government might take from the junior ranks or the Provincial Service selected officers after one or two years and place them in these posts as members of the Commission of the United Provinces and that they would then be entitled to rise to the upper listed posts, and so on, to Commissionerships?—The actual number at present available is hardly sufficient.

47321. If they were increased?—I cannot say that I have ever considered that question.

47322. What do you think the effect would be on the Provincial Civil Service?—It would be virtually promoting from the Provincial Civil Service into the Indian Civil Service at the earlier age. That is really what it comes to. There would be considerable advantages, if the system of promotion from the Provincial Service is to be continued, that they should be moved across at an earlier age.

47323. With your experience of this province of eight years, do you think there is a very large society here of the people whose families would go into the Civil Service, but who do not look upon the Provincial Service as a suitable service for their children to enter?—I am afraid I really could not offer an opinion upon that subject.

47324. Putting apart the mere so-called high families, is there an intellectual class here who would not come into the Provincial Service, because they do not think it good enough, but would come into the other?—I am afraid I cannot express an opinion of any value upon the matter.

47325. With regard to the question of the time-scale, I suppose your idea would be to carry your time-scale to Rs. 2,250?—I said Rs. 2,500 actually.

47326. The question arose as to whether you could have a compartment where the Assistant Collector becomes a district officer, and he is stopped there unless he gets a district; would you not have exactly the same block there as you have now?—That is what I suggested this morning.

47327. On the other hand, you see no reason to allow a man to go on drawing a pay which is attached to a district office if you cannot give him a district?—That is the way the interests of the officer and Government come into collision. It would be necessary to find a means of reconciling them in some way. I fully agree that it is inequitable to Government that it should be required to pay a higher rate of pay than the services rendered by its officers immediately entitle them to receive. As a matter of fact, that contingency would hardly ever occur in a well-regulated state of promotion.

47328. If it was a well-regulated system, even with a graded system it would hardly occur. These posts occur because of mistakes. It seems to me even with a time-scale service you would have the same difficulties as you get now unless you were prepared to pay a man in sub-divisional work much higher than would be really a proper reward for the work he has to do?—That is one of the difficulties of the time-scale. I think it would be desirable to say that, any way for a certain number of years, a man should not be allowed to draw higher pay at certain fixed intervals in the time-scale unless he was doing the more responsible work. But it would be hard on him to keep him at the top of each compartment indefinitely simply because there was a block.

47329. Would you approve of a scheme under which a man stopped at Rs. 1,500 a month unless he got a district?—I think that would be quite reasonable. If owing to the block he was stuck there for a good number of years it would be necessary to give him an allowance.

47330. Another proposal is that the time-scale should end at Rs. 1,500 and then that the district officers should have allowances attached to them varying according to the grade of the district—so many grades and so much allowance attached to them, starting with your basis of pay according to the time-scale?—It has always seemed to me to be decidedly equitable that the district officers of some districts should be paid at a higher rate than those in charge of others simply because they are in charge of those particular districts.

47331. You think that is equitable?—Certainly. Under the present system there is no doubt that some of the district officers in charge of larger districts ought to be paid more because their expenses are quite out of proportion to those which would be incurred in smaller districts and their work is at the same time more heavy and responsible.

47332. That was the system which existed in some provinces until quite recently. In Madras, for instance, a man was paid according to the Collectorate he occupied?—I was not aware of that.

47333. (*Mr. Tudball.*) Furlough pay is not a reward in any way?—No, not at all.

47334. Furlough pay is half-pay subject to a maximum and a minimum?—Yes.

47335. An officer on furlough has to pay his full donation to the family pension fund?—Yes, that is so.

47336. The maximum furlough is £1,000?—Yes.

47337. In addition to what Mr. Lloyd George demands one has also to contribute fully to one's family fund and one's pension?—Yes.

47338. Have you any idea as to what a man draws clear out of his £1,000, approximately, as a married man?—I think it is something like £850, or £900.

47339. There is a considerable slice out of his £1,000 he has to give up?—Yes.

47340. That £1,000 does not go quite so far at Home as it used to do?—I presume it does not.

47341. In answer to question (95) you have said something about exchange compensation allowance. You have suggested that it was unnecessary to offer it to Indian members of the Service?—Yes.

47342. There are certain members of the Indian Civil Service whose wives and families are at Home?—Under these circumstances they have every claim to it.

47343. Under the present rules they do not get it, do they?—I believe not.

47344. In answer to question (121) you say: "In the case of members of the Indian Civil Service, appointed to be Judges of the High Court, I think the period should be reduced to six years, subject to a minimum of thirty years." That is not very much of a grievance at present to the Civil Service members of the High Court; but there is one point to which I should like to call your attention, and that is this, does a Barrister Judge or a Vakil Judge contribute towards his pension in any way?—As far as I am aware he does not.

47345. At the end of 11½ years he draws the same pension as the Indian Civil Service Judge who also draws a pension at 11½ years?—Yes.

47346. The Indian Civil Service Judge contributes his 4 per cent. regularly, does he not?—Yes.

47347. So that he practically gets no return for that?—I should think nothing at all.

47348. Under the present system for training young Civilians when they come out here, they have to pass an examination in civil law?—They do.

47349. No method has yet been devised by which they can learn except by reading themselves?—Not at present.

47350. Do you not think it would be of considerable use to allow them to read that civil law at a centre like Allahabad during the hot weather?—I think it would increase the facility they would experience. They would gain enormously if they could be lectured to upon the subject instead of reading it up.

47351. If they were under the charge of the Principal of the Law College for the purpose of studying the Law, it would be a good thing?—It would involve taking them all away from the districts to which they were posted.

47352. It would not damage those districts very much at that stage of their career?—No.

47353. I speak from experience: it is far easier to pick up your Law when you have some one to guide and help you over the difficulties than when you have to fight your own way over them?—It would be very profitable.

47354. (*Mr. Kanhaiya Lal.*) In order to equalize the chances of promotion in the Judicial and Executive branches of the Provincial Civil Service and to obviate a conflict of claims, between two sister Services, would you recommend the amalgamation of the two Services and make the conditions of recruitment equal?—I am afraid I can hardly give you a valuable opinion upon that subject.

47355. You have suggested by way of a remedy in answer to question (38) that there should be a higher grade for the Deputy Collector. I suggest another remedy for your consideration, namely, amalgamating the two and making conditions of recruitment equal. What do you say to that?—I should require to consider the system of recruitment at present in existence in order to answer that question; and I have not done that.

(The witness withdrew.)

JOHN STRATHEDEN CAMPBELL, ESQ., C.S.I., C.I.E., I.C.S., Commissioner, Kumaun Division.

Memorandum on the Indian Civil Service.

47356. *Methods of recruitment.*—I do not think that competition, pure and simple, is the best method of recruitment for the Indian Civil Service. Beyond marks for ability to pass examinations, I think considerable attention should be paid to physique, force of character, and, in some cases, family connections. (To take an instance: a son of Lord Lawrence's failed by a few marks in 1880. He would have got high marks for all the extra points to which I consider that attention should be paid, and would, in my opinion, have proved a greater acquisition to the Indian Civil Service than the ordinary competition-wallah.) Instead of the present system of pure competition, I should like to substitute a system somewhat resembling that in vogue for admission to the Navy. I would allow very free nomination by head masters of approved schools, followed by selection under the orders of the Secretary of State, and finally ending in a competitive examination among those selected. I would return to the younger age for recruitment, viz. 17 to 19, as I think we should thereby get a larger proportion of the pick of the public schools than we have been getting of recent years. Parents, more especially those of slender means, are averse to running their sons for the Indian Civil Service when, after an expensive University examination, their sons are liable to fail, and at the age of 24 find themselves too old to enter the Army or other Government professions.

I would send all candidates who passed the examination to a residential University for two years at least, and for three years at their option. I would revert to the curriculum of Indian studies which existed in 1891, including the reporting of cases at the law courts. I would give probationers an allowance of £150 a year at the University, subject to their making satisfactory progress and would continue the allowance to those who stayed on a third year, provided they took either a degree in Law at the University or qualified as Barristers-at-Law. I would exclude "Natives of India" other than Anglo-Indians from the above examination for reasons which I will give hereafter, but would admit other natural-born subjects of His Majesty.

I do not think it is necessary to recruit for the Judicial branch in a different method.

Another reason why I advocate a reversion to the younger age of recruitment, and Civilians coming out to India at between 20 and 22, is that in my experience they settle down more easily to the new life in this country, and are more easily trained in the everyday duties of a Civilian's life than the elder men, who resent the monotony and pettiness of patwaris' papers, sanitary inspections, and such like work.

My experience of the Indians who have come out in the Civil Service is that they are not up to the standard of their European *confrères*. I think that they have, as a rule, not been long

enough in England to benefit by the change of life and ideas. As long as England accepts the responsibility for the good government of India, I think that it is inevitable that a very large majority of the higher administrative appointments and a considerable majority of the Judicial appointments must be held by Englishmen, and I consider that this *corps d'élite* should be recruited from Englishmen only.

At the same time, I am ready to admit that the standard of education and the tone of morality has been very much raised during the thirty years during which I have been in India: and I think the time is approaching when we shall be able to recruit young Indians on a larger scale who will prove themselves fit for some of the appointments hitherto reserved for Englishmen.

The Statutory Civil Service was an attempt to recruit such men, but it failed, partly because the attempt was premature and partly because of want of care in selection

I think, however, that the time has now come when a fresh start might be made on somewhat different lines. It is hardly for me to say how many Collectorships, Judgeships, or other miscellaneous appointments, might be safely put in charge of Indian officers. But once that point was determined by the Government of India, in consultation with the Local Government, I would advocate a separate branch of the Indian Civil Service, manned entirely by Indians. I would lay down a certain educational standard, and then allow nomination by various officials and non-officials (*e.g.* Commissioners and Members of the Legislative Councils), followed by selection under the orders of the Secretary of State. Very considerable importance should be attached to the points of physique, force of character, and family connections, to which I have drawn attention in relation to English candidates. It would be necessary to admit on a qualifying, and not on a competitive, examination to this Service, owing to the absolute necessity for maintaining a fair proportion of religions, castes, &c., among the candidates selected.

Boys reading in the public schools in Europe should, on no account, be omitted from the nominations, as they would probably supply some of the very best candidates. As they would in most cases belong to well-to-do families, it would be no great hardship to ask them to return to India for a few weeks to appear before the Selection Committee.

I would take these candidates at the same age as those passing in England, or possibly at a year older.

I would send all selected to a residential University in England for two or, preferably, three years, and would give them the same allowances as the English candidates.

When these young men came to India I would treat them exactly the same as the English candidates, both as to training, pay, leave, and nomenclature.

When it was once determined how many "superior" appointments were to be thrown open to this Indian cadre, there would be no difficulty in determining how many inferior appointments would be necessary to keep them regularly filled.

I am very much opposed to the present system of keeping some of the "listed" appointments for the Provincial Civil Service. There are, in my opinion, very few members of that Service who are qualified for the appointment of Collector and Judge, and my opinion would be (and has in private been often) endorsed by members of that Service themselves. I am not decrying the Provincial Civil Service, for I have the greatest admiration for a hard-working, loyal body of gentlemen, whose services are invaluable and whose standard of rectitude has been almost entirely revolutionized by their own efforts during the time I have been in India.

But they know, and so do I, that they are unfit for appointments of heavy responsibility where their action is scathingly criticized by their own compatriots and where they have special difficulty in holding the scales even, more particularly in times of religious fanaticism and ill-feeling. My own belief (and it is corroborated by conversations with old friends in the Provincial Civil Service) is that they do not hanker after the listed appointments. But they are feeling the pinch of the increased cost of living as much as the rest of us, and ask that the proportion of appointments in the higher grades (*i.e.* over Rs. 400) should be increased. Much has been done for them in the last thirty years, and more is about to be done (I believe), but I should like to see Rs. 900 and Rs. 1,000 grades introduced for the Deputy Collectors, as for the Subordinate Judges, and their periodical appointments as Assistant Sessions Judges, for which they are well qualified.

For the reasons I have given, I would not admit the Provincial Civil Service to the Indian cadre of the Indian Civil Service except for some very exceptional services.

I have just referred to the Provincial Civil Service as feeling the difficulty of the cost of living: and this is a matter which (judging by the reports in the public press) does not seem to have been at present very prominently brought to the notice of the Commission: and yet it is a matter which is, in my opinion, seriously affecting recruitment for the Indian Civil Service and other public services. Work becomes more arduous day by day, while salaries have decreased in value by at least one-third during the time in which I have been in India. Few married men (and most of us are married) can educate their children as they would wish, and what education they can afford is at the expense of their leave, with the result that children grow up unacquainted with their parents, who at the end of their service retire with little or nothing beyond their pensions to live upon. Nor with salaries reduced in value, can Civilians live in the style which has hitherto been expected of them. It is certain that the complaints of retired Civilians that India is no longer the pleasant place it was to live in, and the feeling that the Service becomes more arduous while the emoluments tend to decrease, is leading, and will in the future still further lead, to a reluctance to recruit for the Indian Services. And yet it must be realized that the work and the administration become every year more complex, and the

demand should be for some of the highest talent available in England and for nothing less than such talent.

But to attract such men it is necessary to offer them a reasonable *quid pro quo*, and that is what is not being offered in the present times with bad promotion, stunted salaries, much more work, and less relaxation.

47357. *Conditions of service and salary.*—There is no doubt an enormous amount of dissatisfaction at present among the younger members of the Service at the slow rate of promotion. Apart from the actual loss of salary, it is disheartening for men of 12 and 13 years' service to have to revert to the monotonous grind of a Joint Magistrate's work. I would advocate a time-scale of pay for all grades of the Service up to 25 years' service. but it would have to be on liberal lines to compensate for loss of grade promotion. As far as I have been able to learn, the time-scale of pay is appreciated by the Services to whom it has been already supplied.

I would also give a time-scale of pay to the Indian cadre and to the Provincial Civil Service up to the grades beyond which promotion goes by selection. There is one matter in which I think the United Provinces is at a disadvantage as compared with other provinces; and that is the way in which officers serving in the hill districts have to accept lower salaries than those serving in the plains. The work is equally heavy, the life is lonely and arduous, and the expense of living is exceptionally heavy: and I can see no justification for the reduction in salaries.

47358. *Conditions of leave.*—I should say that officers of the Indian Civil Service take a good deal less leave than they used to, and I attribute this entirely to the extra cost of living. Practically nobody takes all the leave due to them, often because they cannot get it, more often because they cannot afford it.

I think that Government should at least pay the first passage out, and the last passage home, of all members of the Indian Civil Service.

47359. *Training and probation.*—I have already expressed my views on the training of probationers before they leave England. I do not think that the present rules for training young Civilians after they reach India could be much improved upon as far as the United Provinces is concerned. It is very essential that they should be put under a Collector, who will see that they get a thorough insight into all branches of their future duties.

I think a good deal of nonsense is talked about the present-day Civilian being deficient in his knowledge of the vernaculars. Englishmen are, as a rule, indifferent linguists, but I think that the Civilian knows enough as a rule to carry him through his day's work, and to make himself understood by the people without the aid of an interpreter. They may not be as good linguists as some of their predecessors; but it must be remembered that much more of the work is now done in English, and Civilians are more tied to their desks and have less opportunity of practising the vernacular in the villages and in the jungles.

With a stronger Bar in India, there is, no doubt, a growing need for stronger judicial knowledge in officers who select the Judicial branch. I think the idea of training them in the new Subordinate Judge appointments is a sound one. But I would recruit for both branches in the same way, and for the first 7 or 8 years of their service would give them exactly the same work. It might certainly tend to better civil work from Civilian Judges if they were encouraged to study Law in England on their first and second furloughs by the grant of study leave.

I think the training for my suggested Indian cadre, and for the Executive branch of the Provincial Civil Service, should be very much the same as for the European assistants.

47360. *Conditions of pension.*—I would advocate a revision of the present system of equal annuities to all members of the Indian Civil Service. It is absurd that a Lieutenant-Governor and a man who has proved unfit for charge of more than a small district should retire on the same £1,000 a year.

I think that Government should have the power to retire a man at any stage of his service who is found to be quite unsuited to the Service. It would of course be necessary to give him a gratuity or a pension somewhat on the same scale as if he was retiring under a medical certificate.

I would lay down a rule that every Civilian should ordinarily expect to be retired with 25 years' service on a pension of £1,000 (for nearly half of which he has of course paid himself). If Government desired to retain the services of any man for more than 25 years, they should be prepared to pay for him. I would give a man who stayed on more than 28 years £1,100 a year, and one who stayed out more than 32 years £1,200 a year pension. I would also give a Lieutenant-Governor a special pension of £1,500 a year.

At present of course any man who stays beyond 25 years, or often beyond 23, is steadily losing pension day by day, and paying for that privilege.

I think the Family Pension Fund's rules are satisfactory and only wonder why they are not made compulsory for other public services. They would in most cases be warmly welcomed.

Written answer relating to the Provincial Civil Service.

47361. I think the present system of recruiting this Service is satisfactory, and would retain it, *i.e.*, the nomination of graduates, who have to pass qualifying examinations during their probationary period. I think I have already expressed my views upon other points.

MR. J. S. CAMPBELL called and examined.

47362. (*Chairman.*) You are Commissioner of the Kumaun division?—Yes.

47363. How many years' service have you?—I am in my 30th year.

47364. You wish to confine the examination in England to Europeans, and to exclude Indians from it altogether?—Yes, on the conditions I record later.

47365. You would also introduce an element of selection?—Yes.

47366. Would your nomination take place before the examination or after it?—I should have the nominations before. I would have three or four candidates for every vacancy, and examine afterwards.

47367. You would revert to the seventeen to nineteen years' age-limits with two or three years' subsequent probation in England?—Yes.

47368. Do you think that at present Civilians come to India too old?—I have had a good many young Civilians under me when I was District Officer. I found the young Civilian much easier to train. He is more malleable. An Oxford M. A. thinks it is rather *infra dig.* to do the duties of the young Civilian when he first starts.

47369. You think it would be better for the Civilian, and therefore for the Service, that he should enter upon his work at about 22 or 23 years of age?—I think so.

47370. You would recruit Indians broadly speaking by selection?—Yes.

47371. You would not have an examination?—I should have a qualifying examination.

47372. What standard would you suggest?—Very much the same standard as for a boy leaving a Public School in England, a boy fit to go to the University. I suggest that they should go to the University afterwards, also.

47373. You would have the same age for Indians?—I would have a year later, on account of the difficulty of learning English as far as Indians are concerned.

47374. The candidates selected by the qualifying examination would proceed to England for the same probationary course as the European candidates?—Yes.

47375. You would favour, if your proposal were carried out, an increase in the number of Indians in the Service?—A slight increase; a gradual increase would be more accurate.

47376. Why do you think you would recruit a better class of Civil Servants by your system than is at present obtained by open competition?—We would select men to be sent home instead of their selecting themselves.

47377. You think that a method of selection could be found which would produce more suitable candidates?—I think we should get men of better family and better character probably.

47378. You are not in favour of the system of listed posts?—Not as at present in force. I think many of the Provincial Civil Service men do not know that they are holding listed posts at present. There are a certain number of Joint Magistracies which have been taken away from the Civil Service. They are called Rs. 600 Deputy Collectors—a Deputy Collector promoted to the Rs. 600 grade. He does not know that he is in a listed post. He is not called Joint Magistrate. He does not think he is specially selected for a listed post, but merely gets his grade promotion.

47379. Would you do away with the ordinary listed posts of Sessions Judge and Collector?—If we had a regular Indian cadre I should prefer to recruit in that way except in the very special cases of men doing specially good service when they might be especially promoted.

47380. You suggest having separate Indian and European cadres?—Yes.

47381. What number would you have in your Indian cadre?—It is not for me; it is for the Government of India to decide what proportion of the staff should be thrown open to Indian candidates. If we say there are so many superior and so many inferior posts, I would recruit accordingly. In this province it would not be more than two or three posts a year.

47382. You think that the Provincial Civil Service is essentially a subordinate service, and that it should be employed exclusively for subordinate work?—I think until quite recently it was considered a subordinate service. The ambition of the present day is not to consider it so; but half the present service was recruited without expecting to get any further. They were mainly promoted from the tahsildars or similar appointments, and did not expect to get beyond the higher grade of Deputy Collector. I think the majority of them still have that expectation.

47383. I may take it that your proposals are, briefly, to exclude Indians from open competition in England and to introduce a system of nomination for Europeans. You would have a system of selection for Indians and you would take away the listed posts from the Provincial Civil Service. Whom do you think your scheme would satisfy?—I do not think it would satisfy everybody. I do not know that any scheme would satisfy everybody.

47384. But do you not think that your proposals, taken together, would tend to accumulate dissatisfaction?—It is very hard to say. I have merely expressed what I thought would be for the good of the Service.

47385. You say it would be difficult to please everybody. Would you admit that it is important to try and please somebody?—Yes.

47386. You would admit that it is important that a scheme for the government of this country should take into consideration the wishes of the educated classes?—Yes, quite so.

47387. And that a scheme which omitted to consider those wishes could not ultimately be conducive to efficient government?—My point is that if the Government of India decided that there are so many vacancies which can be thrown open to Indians, we should probably get a better class of Indians by my method of recruitment. I do not think the Indian is justified in expecting to pass through, both in England and in India.

47388. You do not think that your proposal to take away the listed posts would cause discontent?—It would have to come gradually, and you would have to geiv some compensation to some men in the service who have had the expectation of being promoted.

47389. Would not the proposal be regarded with great disfavour by the members of the Provincial Civil Service?—I doubt very much whether there is a very large proportion of them who expect to get beyond the Provincial Civil Service. A few of the younger and more ambitious men might think of it. But later on they would be better satisfied with the higher grades in their own service.

47390. Do not the older men in the Provincial Service regard the listed posts as their

special prize?—Not from what I have known. I have talked the matter over with many of them. It is very late in life to come to a position of very high responsibility which they have not felt before.

47391. You think they would prefer to have them taken away?—No: but they would like to have the higher grades in their own service, and go on in their line of work which they are accustomed to without the change.

47392. You would substitute two additional grades of Rs. 1,000 and Rs. 1,200 respectively?—Two grades, one of Rs. 900 and the other of Rs. 1,000.

47393. You think, on the whole, that that would be more popular with the Service than the present system?—From what I have gathered from my friends in that Service I think it probably would.

47394. As regards the question of salaries, I see you propose a time-scale as a remedy for the increased cost of living?—Yes.

47395. Your suggestion is to have a continuous time-scale up to Rs. 2,500?—Yes.

47396. It has been proposed to us that the time-scale should end at Rs. 1,500 after which officers should be promoted in the ordinary course. What would your view be of that proposal?—I am inclined to think that in these provinces, with very bad promotion, there would be still a block at Rs. 1,500. There are men of 40 who are still Joint Magistrates.

47397. Do you not think that an unbroken time-scale might cause a certain falling-off of energy in the Service?—I do not anticipate it myself. From my experience of the Service I think men take too much pride in their work.

47398. You have also heard, probably, the other suggestion, that for officers occupying special posts there should be an allowance in addition to the time-scale? What is your view as to that?—I think it is facing both ways. You are paying a man for holding a certain appointment and then paying him for promotion.

47399. You think that it would be giving too much?—I should be inclined to think so. There might be expensive appointments, like Calcutta or Simla, where you would have to give local allowance on account of the prices of living. If I gave a man a time-scale I would not pay him as well for holding charge of a district.

47400. The allowances in the aggregate would not exceed the salary which an officer would ordinarily receive in the position he was occupying. It would be fair if he was holding a post of particular responsibility that his salary should be higher than that of his colleague who is not in such a responsible position?—I think the time-scale is supposed to compensate him for that.

47401. You speak of two Hill districts in these provinces which carry low salaries. Are these Deputy Commissionerships?—There are four Deputy Commissionerships. There is Naini Tal and Mussoorie. Those two are at Rs. 1,500; and there are two others at Rs. 1,000. I would grade them as ordinary districts and give them ordinary pay.

47402. We have had evidence before us here that these particular districts are regarded with great favour by officers, although the salaries are lower, in that they have other advantages?—I hold one of them myself. It costs me over Rs. 450 a month, so I speak with some feeling. I know one of my districts which has been refused by three men recently, because it was not worth taking up at Rs. 1,000.

47403. The expenses are really in excess of the salary?—It is a very rough life. You cannot carry about luxuries. You are in camp for nine or ten months in the year, and it is very difficult to get servants. There is no society. You have to put that against the pleasures of the country.

47404. It has the rather melancholy advantage of economy?—It cannot be economical when you have to pay your servants double, and import all your stores and everything from the plains.

47405. How did it come about that these particular posts carry lower salaries?—Because in previous times there was very little work. Now the work has increased enormously. There are large developments of reserved forests in the hills and there are other duties which have increased the work. I held a post like that when I was a junior. My work then did not take more than three hours a day; whereas now it takes seven or eight hours.

47406. You find that the cost of living in those remote parts is higher than it would be elsewhere?—It is undoubtedly higher.

47407. It costs more to live there than, for instance, in Lucknow?—Infinitely more.

47408. Turning now to the question of pension, you wish to see the pension scheme altered, do you not?—Yes.

47409. Do you favour the proposal to do away with the 4 per cent. deduction by converting it into a Provident fund?—I have heard nothing of it.

47410. You say that the average Civilian himself pays nearly half his pension?—That is what I believe has been the calculation.

47411. I suggest that that is only hearsay, and that there has been no detailed calculation. The evidence we have heard points to the fact that the average Civilian pays a good deal less than half?—You have to take the men who have died, and who have paid their 4 per cent. towards their donation. That has all gone towards the good of the fund.

47412. You have to take a great deal into consideration, including, I suppose, the officer who serves many years beyond the 25 years?—I could have retired more than five years ago. I have been paying for my pension for the last 5½ years. I think it is an anomaly.

47413. You would like to have the whole system examined actuarially with a view to rendering it more equitable for the Service?—I think that if Government wants to keep men after a certain time they should be prepared to pay something for it.

47414. Your suggestion is that all contributions should cease at the end of 25 years?—I do not suggest that. I suggest that the Government should give extra pensions.

47415. If you gave encouragement in the form of higher pensions, might you not increase the

risk of stagnation in promotion?—The ordinary service would be 25 years, and only special men would be retained after that period. Government would invite those men to stop on on special terms. Now a man can stop on for 35 years if he likes.

47416. The rule would be that all officers must retire after 25 years, except those who are invited to stay?—Yes.

47417. (*Sir Murray Hammick.*) How many Deputy Collectors acting from the Provincial Civil Service have been put in charge as Deputy Commissioners holding listed posts since this listed system was started in this province, do you know?—At present there are only two.

47418. Are they both Deputy Collectors holding these listed posts?—One is Saiyid Hadi, who has spent most of his time in the Agricultural department, and the other is Chaudhri Maharaj Singh, who was a Deputy Collector till last year.

47419. Are those the first two who got these listed appointments?—Some Statutory Civilians have certainly held districts.

47420. Apart from the Statutory Civilians, have any other men held listed appointments from the Provincial Civil Service?—I think those are the only two who have been permanently appointed.

47421. You give the Provincial Civil Service a very good certificate in saying that the standard of rectitude has been entirely revolutionised by their own efforts, but you think at present it will be very seldom that a Deputy Collector will come up to the standard to be able to fill the appointment of Deputy Commissioner as it should be filled?—That is my opinion.

47422. Putting aside the Commissioner, is it not the case here, as we have been told in other provinces, that the District Judge, the listed man, gives great satisfaction?—They are all promoted from the Judicial side. That is one of the grievances of Deputy Collector.

47423. Have those men who have held districts Judgeships given general satisfaction?—I believe many of them have. I have never been in the High Court, so I cannot say.

47424. Do you not think if the men from the Provincial Civil Service were selected more on merit rather than by promotion, and if the Provincial Civil Service appointments were better paid, and their grading improved and made better, that the Provincial Civil Service would rise very much in esteem in this province?—I think every man who is comfortable in his financial surroundings would do better work.

47425. What I am really driving at is whether your system of this Indian cadre of appointments, who are to get the same pay, leave, and nomenclature, is not on the one hand likely to be a very expensive way of inducing more Indians to come into the Indian Civil Service, which is, really, of course, paid largely on the ground that it is recruited from men who come from their homes thousands of miles away—whether it would not be more economical and almost as efficient to pay more attention to improving the Provincial Civil Service with a view of making up the Service, which really would be an efficient service, from which to recruit a large proportion of appointments held by the Civil Servants. Do you not think it would be possible to do that?—It would not satisfy the younger members of the Provincial Civil Service who are now looking forward to the listed appointments.

47426. But they would get the listed appointments?—I understand you to say that the money is to go to improve the Provincial Civil Service.

47427. Instead of this special service of yours, keep the door of the Indian Civil Service at home open to Indians, and recruit your special appointments in the Civil Service into which you think you can put Indians with a fair prospect of satisfactory work—recruit them from the Provincial Civil Service, only at the same time improve your Provincial Civil Service very much by recruiting it on proper principles, instead of by tahsildars who are promoted and by enlarging the number of the listed posts into which you would put those men, and also by taking away those appointments which are now merged in the Provincial Civil Service as Assistant Collectors, and putting your young Deputy Collector after two or three years' experience into these Assistant Collectorships and letting him rise in the Service?—I think that would be quite as expensive as my proposal, and it would then give us a very much worse class of tahsildar who had no promotion to look forward to. If you are going to regrade your Provincial Civil Service throughout and give them an average of higher pay all through, it would probably become more expensive than my system of sending two or three boys home each year at £150 a year.

47428. But not if you paid these men only two-thirds of the pay. Probably, also, another superiority of this scheme over yours would be that it would enable more Indians to get into the service than yours does. You say two or three a year?—I am only speaking roughly. It would depend upon what the number of vacancies would be.

47429. You do not think it possible to raise the Provincial Civil Service up to the standard which would do for filling a great many of the appointments which are now held by the Civil Service?—I think the present members of the Provincial Civil Service in my experience are not fit for the appointments now, whatever they may be in the future.

47430. They are not fitted now?—I am taking them all round. I could pick out individuals, of course.

47431. (*Mr. Madge.*) May I take it that in submitting your views you have balanced the claims of the educated classes on the one side with the needs of the great voiceless masses on the other, as you understand them, and recommended what you consider best for the country at large?—I hope so.

47432. In one place you make what may be considered a rather invidious remark. You say: "I would exclude 'Natives of India' other than Anglo-Indians from the above examination for reasons which I will give hereafter." Will you kindly point me to the place in your written statement where you give the reasons, or do you purpose giving them verbally?—I would refer you to my remark later on where I say, "I

think, however, that the time has now come when a fresh start might be made on somewhat different lines." I would advocate a separate branch of the Civil Service manned entirely by Indians. That is what I refer to.

47433. You refer to Anglo-Indians in the same sentence. Do you mean domiciled Europeans, or persons of English and Indian descent residing in the country?—I refer to both.

47434. Then you make this exception in favour of the Anglo-Indians because you think you are able to trace in them some kind of reversion to the British type of character, which enables you to place them side by side with Europeans: is that your reason?—My experience of a great many of them is that they have been Home and have been educated at Home already, and some have passed and some have failed; and they have already elected that way of entering the Service in many cases.

47435. Do you think it is impossible in this country (I exclude those who have gone Home), in first-class schools in this country, English schools, to produce the type of character, which, for the purpose of administration, would give you a fairly effective class of Anglo-Indians?—I think they are all very much better for going to England.

47436. Have you had much experience of Anglo-Indians?—I have met a good many.

47437. On the whole, do you find that those who have been brought up here are as efficient as any other class?—Yes.

47438. With regard to your remarks as to there being a want of care in selection, with reference to the Statutory Service, do you think that any greater care in the selection might make up for any defect in the system?—I think it is possible.

47439. After paying a deserved compliment to the Provincial Civil Service, you say in defence of your own system, "But they know, and so do I." Have you had your knowledge of their opinion from questioning them, and from intercourse amongst them?—Yes.

47440. (*Mr. Fisher.*) With reference to the first paragraph of your memorandum you say—"I would return to the younger age for recruitment, *viz.*, seventeen to nineteen, as I think we should thereby get a larger proportion of the pick of the public schools than we have been getting in recent years." Have you any statistical information as to the number of public school-boys coming out?—No.

47441. It is rather a personal impression, is it not?—It is what one hears in general conversation.

47442. You hear it generally said that fewer public school-boys are coming out now than used to come out?—I think there is a smaller tendency for the best of them to come out. They prefer to stay at Home.

47443. You have not any figures to prove that?—I can quote the case of my own son. I do not allow him to go in for the Service.

47444. (*Mr. Macdonald.*) When you wrote the whole of that paragraph had you an idea that the average quality of man who is coming out to the Service now is inferior to what it ought to be?—I think we might possibly get a better quality. My impression is, looking at the lists as they pass from year to year, the top men generally go for the Home Civil instead of the Indian Civil. I hear it repeatedly said in conversation amongst men in my own Service that they are not going to try and get their sons into the Indian Civil Service.

47445. You do not hear it said by men of equally good status outside that they are going to put their sons into the Service if they can get them in?—I think the general impression is that the Service is not as good a Service as it was, for the reasons I have given. The work is harder and the emoluments are smaller.

47446. I understood that your great complaint regarding the quality of the Service was that there had not been enough testing outside competitive examination?—I say that in every service probably a son is a better candidate if his father has been in the Service, whether the Army or the Navy, or a blacksmith or a carpenter. I think the son of his father who is more or less trained to the idea of going into that particular service is a better man than the one who takes it up casually.

47447. Do you believe in the Hindu industrial caste system?—I think it makes a better man for his particular trade.

47448. (*Mr. Sly.*) With regard to your pension proposal, is it not the case that every officer can receive permission to retire after 25 years' service, of which twenty-one years is active service?—I believe so.

47449. If he stays beyond that period presumably he stays for his own benefit?—He stays for many reasons, not exactly his own benefit.

47450. You state that if the Government desire to retain a man after twenty-five years' service they should be prepared to pay him?—Yes.

47451. And you would have the corollary, that if Government do not desire to retain him they should have the right of retiring him at the end of that time?—Yes.

47452. You would recommend a system under which, on the completion of twenty-five years' service, the Government should have the right to retire an officer compulsorily?—Yes.

47453. If you have these special pensions for men of more years' service, is it not likely to accentuate a block in promotion and induce officers to stay on longer for the purpose of getting a better pension?—They cannot stay unless they are invited to do so. Ordinarily speaking a man is due for a Commissionership after 23 years' service. He would be told he was going to get a Commissionership, and if he was not going to get a Commissionership he would go. If he was going to get a Commissionership he would get a slightly better pension.

47454. Would not that induce many officers to stay on longer with a view of getting more pension?—I do not think so.

47455. The Chairman suggested that some alterations might possibly be made in the system of annuities and asked you whether it would be an acceptable scheme for the Service if the full pension of £1,000 were given by Government, and if the whole of the annuity fund

deduction of 4 per cent. were treated as a provident fund to be credited to the account of the officer and to be returned to him either on retirement or on death. What do you say as to that?—That would be an excellent system. We should get £1,000 a year instead of £500.

47456. Suppose that Government should find it necessary to reduce the amount of the pension, say to £800 or a lower figure, and still allowed the annuity to be given, as a provident fund, what would you say to that?—I still think that would be a good thing. The pension dies with you: your annuity money would not.

47457. Do you think that would be a satisfactory solution for the improvement of the Service; or do you think there are any other improvements that would also be required to be made?—I do not think that would alter the fact that the salary is a great deal less than it was when I came to India owing to the rise in prices.

47458. Which would you consider the more important; an improvement of the pension system, or an improvement of the salaries?—An improvement of the salaries.

47459. You think an improvement of the salaries is more essential than the improvement of the pension?—Yes.

47460. With regard to the improvement of the salaries, would you agree with the opinion expressed by some witnesses before the Commission that an improvement in the salary is most important at the commencement of the Service, amongst the junior officers rather than amongst the senior officers?—I should be rather inclined to doubt that. The pinch comes at the middle stage of the Service when the children are growing up.

47461. We have been told that the pinch occurs actually at two stages, first when the junior Civilian comes out, and secondly, on his first acting appointment as Collector; that these are the two stages in the Service when the salary is most inadequate. Do you agree with that opinion?—When I was a junior Civilian I did not particularly feel the pinch in the first stage, but I certainly did in the second stage.

47462. Do you think the junior Civilian at the present day feels the pinch very much in the first stage, or not?—Owing to the rise in prices, probably he does.

47463. (*Mr. Kanhaiya Lal.*) Have you ever worked as a District and Sessions Judge?—Yes; I am a Sessions Judge now.

47464. Outside the Kumaun division?—Yes. have been the Sessions Judge at Bareilly twice.

47465. For what period?—Once for two months and once for eight months.

47466. I understand that there are no regular Munsifs and Subordinate Judges in the Kumaun division?—Deputy Collectors do the work of Subordinate Judges and Munsifs.

47467. You have no regular Subordinate Judges and Munsifs?—Not at present. Subordinate Judges are coming.

47468. Have you had any practical experience of the working of the Subordinate Judges and Assistant Sessions Judges outside Bareilly?—Not as a Judge.

47469. Had you any Assistant Sessions Judges at Bareilly when you were acting as District and Sessions Judge there?—No.

47470. Have you had any practical experience of the work of listed-post holders on the judicial side?—I think not.

47471. On the revenue side?—I have had some statutory Civilians working with me holding listed appointments.

47472. I am speaking of persons appointed from the Provincial Service to the listed appointments?—I do not see where the distinction comes in until they act in a district. A man is promoted to Rs. 600. He does not know whether he is acting as Deputy Collector or as a Joint Magistrate. He is not told so.

47473. There are other appointments open to Deputy Collectors. The Assistant Settlement Officer and the Junior Secretary to the Board of Revenue are Provincial Service men. I am asking you whether you have had any practical experience of listed appointment-holders. You have said you have had no experience on the judicial side?—Have you had no experience on the executive side?—No.

47474. You have said in the course of your evidence that from conversations you have had with the members of the Provincial Civil Service you learnt that they would not mind if listed appointments were taken away from them. May I ask you whether those conversations were with friends of yours in the Executive Service, retired men, or men in active service?—Men in active service.

47475. You recognise the fact that the Bar is improving in strength and quality?—Yes, distinctly.

47476. You also recognise the fact that the members of the Judicial Service are recruited mostly from the junior members of the Bar?—I am afraid I do not know very much how they are recruited. Some of them are undoubtedly recruited from the Bar. I think the members of the Bar who have never been home should enlist for the Provincial Civil Service out here. They are probably sufficiently well paid for the appointments up to Rs. 1,200.

47477. Supposing we shut out the listed appointments to the members of the Judicial Service, do not you think that would affect the recruitment of that Service, considering the present prospects of the members of the Bar?—I could not say.

47478. Do you think we shall be able to attract a better class of men to the Provincial Judicial Service by keeping the listed appointments open to them? We recruit our service from the Bar and in order to attract the right sort of men to the Judicial Service, we ought to give them prospects?—If you give them the present listed appointments, and if you give them more of the higher listed appointments, you might get better men; but I do not see why you should get better men under the present conditions.

47479. Would you keep open the listed appointments that they hold now?—I have given my opinion that I think you would probably get better men if you recruited and sent them home to England for two years, and made them members of the Indian Civil Service.

47480. Do I understand that you will send men selected from the Provincial Judicial Service to England for training. Is that your suggestion?—A certain number would go home and come out and be trained as members of the Indian Civil Service. I would not ask whether they were on the executive or the judicial side.

47481. I am confining myself to the Judicial Service. Is it your suggestion that the present listed appointments should be kept open to them?—No.

47482. You would take them away. In that case do you not think, considering the prospects at the Bar, that that would affect the recruitment of the Provincial Civil Service?—It might.

47483. You further say in the course of your evidence that there is a stronger Bench now in India. In view of that fact, do you not consider that it is desirable that the members of the Provincial Judicial Service should be equally strong and as qualified as the members of the Bar?—I think they will probably improve with the improvement of the lawyer classes.

47484. If you do not give them sufficient salaries and prospects how can you get the right class of men? There is competition between the Bar and the members of the Judicial Service. Is the Government to content itself with an inferior class of men?—You will find they probably get those already.

47485. (*Mr. Fusih-ud-din.*) We are all thankful to you for what you say about the Provincial Civil Service; that you have the greatest admiration for a hard-working, loyal body of gentlemen whose services are invaluable, and whose standard of rectitude has been almost entirely revolutionised by their own efforts during the time you have been in India. That is your opinion with regard to them. I believe your ground for not giving a Deputy Collector the post of District Officer is that if he is a District Officer he is criticised by his own compatriots, and he has special difficulty in holding the scales even, more particularly in times of religious fanaticism. That is the ground upon which it is undesirable that a Deputy Collector should hold the post of a District Officer. And you suggest an opening for the Deputy Collector by proposing his appointment as an Assistant Sessions Judge. We have heard from a witness this morning that Deputy Collectors are quite unfit as Judicial officers to hold the appointment of a Criminal Judge. Is that your opinion also? You have had a long experience also of the work of Deputy Collectors?—That is not my opinion.

47486. Do you agree with a certain witness who said this morning that criminal work practically did not require any training at all? Is it not a fact, in your experience, that a very long training is required for a person to handle criminal cases rightly, and that very often a man of mediocre ability fails to handle those cases rightly even after a very long training?—Yes.

47487. In that case do you agree with the present system of putting in munsifs of ten years' standing, and Subordinate Judges with absolutely no experience in criminal work over the heads of Deputy Collectors?—According to my experience the Deputy Magistrate would make a better Judge than the Munsif, who has had no criminal experience at all.

47488. If he fails to get an opening in the Executive branch, you would give him some opening in the Judicial branch and treat him on the same level as the Subordinate Judge?—On the criminal side.

47489. And in order to give him training in civil work, would it be advisable to put in a Deputy in the Rs. 400 junior grade as a Munsif and give him some training in civil work in order to enable him to hold his own against the officer in the Judicial department of the Provincial Civil Service?—I have never thought of that idea.

47490. You are opposed to the revival of the statutory system?—My experience of the last one was not very happy.

47491. I believe the chief ground is that the aim should be to improve the prospects of the Provincial Civil Service, instead of engrafting another service to the Civil Service under the same conditions, which would degrade the position of the Provincial Civil Service very much. Is that your opinion?—It was not my idea that it should be degraded, but that there should be an intermediate service: that there should be an Indian cadre of the Indian Civil Service.

47492. You give us a concession in the matter of time-scale, and we are thankful to you for that. Do you agree with the opinion of certain witnesses who have stated that if a time-scale were given, half of the Deputy Collectors would go permanently to sleep?—No.

47493. You do not think that with regard to the Deputy Collectors?—No.

(The witness withdrew.)

(Adjourned till Monday at 10·30 A.M.)

At Lucknow.

Monday, 7th April 1913.

FORTY-SEVENTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, ESQ., C.S.I.
ABDUR RAHIM, ESQ.
WALTER CULLEY MADGE, ESQ., C.I.E.
FRANK GEORGE SLY, ESQ., C.S.I.
HERBERT ALBERT LAURENS, FISHER, ESQ.
JAMES RAMSAY MACDONALD, ESQ., M.P.

And the following Assistant Commissioners:—

WILLIAM TUDBALL, ESQ., I.C.S., Judge of the High Court of the North-Western Provinces.
RAI BAHADUR PANDIT KANHAIYA LAL, M.A., L.L.B., Second Additional Judicial Commissioner, Oudh.
KHAN BAHADUR MAULVI MUHAMMAD FASIH-UD-DIN, Deputy Collector, Kashipur, Naini Tal.

M. S. D. BUTLER, ESQ., C.V.O., C.I.E. (*Joint Secretary*).

THEODORE CARO PIGGOTT, ESQ., I.C.S., Judicial Commissioner of Oudh.

Written answers relating to the Indian Civil Service.

47494. (1) What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The merits of the present system of recruitment by open competition are mostly negative, that is to say, it serves to meet objections to which any alternative system of recruitment by nomination would be exposed. Its chief positive advantages are that it opens a wide field for recruitment, and tends in the direction of disarming prejudice and hostility on the part of the mass of the English people. Its chief disadvantages lie in the practical impossibility of assigning marks for character, and in its tendency to set a premium on precocity (by which I mean, in the broadest sense, the early ripening of the intellectual powers) as distinguished from real ability. I do not see that these objections have ever been really met by the advocates of the system; they have been admitted and outweighed by other considerations, and it has been pleaded that the system tends to work out satisfactorily on a general average. There is real force in this contention so long only as competitors are drawn from a fairly homogeneous class and have been previously educated on more or less the same lines.

On the whole I should say the present system is fairly satisfactory in principle and works better than any you are likely to be able to substitute for it.

47495. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I would endeavour to devise some scheme for assigning marks for other things besides proficiency in studies. A substantial number of marks might be left for allotment on account of "character and fitness" by a special Board of Examiners, after the conclusion of the examination as held at present. My plan would be to take from the top of the list of candidates arranged according to the result of this examination fifty per cent. more men than there are vacancies to be filled, and issue notice to all of them to attend for further examination by the Special Board. I would put them through a stringent medical examination, assigning liberal marks for the same —my own idea being that real physical fitness is about as good a rough test of character in a young man as you are likely to hit upon. Then I would invite them to put in certificates as to any imaginable thing they claimed to have done which did not appear in the literary examination, and I would allow marks more particularly for such things as the captaincy of school or college teams, presidency of clubs and societies, exceptional (not mere ordinary) proficiency in any form of sport, but more especially riding and marksmanship.

47496. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Subject to my answers to questions (9) and (11) I would not suggest modifying the conditions of the open examination held in London in any particular in the interests of "Natives of India."

47497. (4) Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No differentiation is desirable as regards the examination held in London.

47498. (5) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the

advantage of Indian interests? Please give your reasons.—I do not consider the combination an advantage. For one thing, I am in favour of lowering the age for candidates for the Indian Civil Service below what is thought desirable for the Home Service. My main point is that candidates who have passed the open competition for the Home Civil Service are ready to begin work at once; candidates for the Indian Civil Service require a period of special training, and in my opinion the present period of one year is too short. I think also that there is a tendency, subject to individual exceptions, for the best men under existing conditions to elect for the Home Service, and that this tendency is likely to be further accentuated in the future.

47499. (6) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by head masters of schools approved or otherwise: (*b*) selection by authorities in Universities approved or otherwise: (*c*) nomination by head masters or University authorities and selection under the orders of the Secretary of State: (*d*) combined nomination and examination: (*e*) any other method? —I think every possible alternative system open to practical objections more serious than any which can be urged against the existing system.

47500. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—While I think the time is ripe for some definite step in advance in the direction of associating the young men trained in our Indian schools and Universities in the practical work of Government, I think the risks involved in any such step are considerable and that any advance in this direction should be taken under conditions such as would enable the Government of India to call a halt at any given stage, if it saw fit to do so. My great objection to the proposed system of simultaneous examinations is that it means setting forces to work which we can no longer control. They would moreover be very slow and gradual in their working, as the men recruited in any given year would not be wanted to take charge of districts and Judgeships for another fifteen years or so. The disadvantages inherent in the system of recruitment by competitive examination would be forced into prominence directly you began to draw your competitors for one single examination from two widely different recruiting grounds, and I for one cannot conceive what tendency the advocates of the system rely upon as likely to result in the maintenance of any given proportion, or of any irreducible minimum, of Europeans in the lists of selected candidates.

47501. (8) Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's dominions?—I am not in favour of simultaneous examinations at all.

47502. (9) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am in favour of filling one-fourth of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited on the basis of a separate examination held in India, provided the Government of India is empowered to refuse any candidate if it thinks proper, and is allowed some right of selection amongst the candidates at the top of the list. Personally I would allow the Government of India an absolute right of choice amongst the top twenty candidates on the list for every ten vacancies to be filled. I would use this power principally in order to secure representation of different classes and creeds amongst the candidates finally selected. I can see many difficulties which would have to be faced in settling the details of the scheme, but none which seems to me insuperable.

47503. (10) If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—The suggestion put forward by me in answer to question (9) is virtually one for appointment by examination subject to a certain right of selection reserved to the Government of India. The details of any scheme eventually adopted seem to me of comparatively small importance. My object is to offer the picked men from amongst the "Natives of India" educated in our Indian Universities an opportunity of entering the Indian Civil Service without being obliged to proceed to England before selection. No system of promotion from the Provincial Service seems to me to meet the case, because men thus promoted can only hope to attain to the charge of districts (either on the Executive or on the Judicial side) towards the end of their careers. We must also catch them young if we want to have a chance of securing the best men and of giving them adequate training in subordinate grades. The age-limit for the examination in India should be fixed so that competitors may come forward about the close of their University careers; I suppose 23 to 25 years would be about the right ages. I would send selected candidates to an English University for two years' training, and grade them with the candidates selected in London who come out to India with them.

47504. (11) If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I would leave the examination in London open to all candidates who can compete for it at present. It is a part

of my scheme that the age-limit for the examination in London should be lower than that for the examination in India. It would thus remain open to those Indians who possess both the abilities and the means to proceed to England for a public school or University training. I do not anticipate that we should get many recruits from India in this way, if once the separate examination in India were started, but I would leave the door open.

47505 (12) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—On the Executive side I would leave to the Provincial Civil Service the few posts at present open to it, as it seems to me of the first importance, from the point of view of the prestige and attractiveness of that Service, that the chance of rising to the Executive charge of a district should be open to its members. Besides, which I think we get some good men in this way who would never succeed in entering by the door of the competitive examinations. The question of the Judicial branch of the Service requires to be considered separately.

47506 (13) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose.—This question seems to me to be argued in some quarters as if our District and Sessions Judges had nothing to do but hear civil appeals, and this is a great mistake. The administrative duties of these officers in supervising the work of their own offices and that of courts and offices subordinate to them, and their duties as district registrars, form quite an appreciable fraction of their total work; while their criminal work as Sessions Judges may be described as the more important half of the whole. For this portion of the work I can conceive of no better training than going through the mill as Assistant and Joint Magistrates. The comparative weakness on the civil side of District Judges recruited from the Indian Civil Service has been exaggerated; such as it is, it could be remedied by improved methods of training. The proposals hitherto made by me involve an Indian Civil Service from one-fourth to one-third of which would consist of "Natives of India:" to such a Service I would reserve two-thirds of the posts of District and Sessions Judges on the cadre of these provinces. The remaining one-third I would allow the Local Government a free hand to recruit either by promotion from the Provincial Service or by direct appointment from the practising Bar. I regard recruitment from the Bar as an experiment worth trying, but a somewhat risky one, to be tried cautiously at first.

47507. (14) Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.—I cannot improve on the present definition.

47508. (15) If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for the candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I think the question a difficult one, with much to be said for and against any given scheme. I think one year's probation in England almost useless, and cannot regard any scheme as satisfactory which does not provide for two years' training, a substantial portion of the same to be in Law. On the whole, I am in favour of an age-limit of nineteen to twenty-two years, with two years' probation. I think we should thus attract three classes of candidates:—(*a*) those who have just taken a University degree; (*b*) those who have just reached the stage of their University training marked by passing "Honour Mods." at Oxford; and (*c*) those who have gone from school to a special tutor.

I wish to lay stress on a point I do not remember to have seen noticed elsewhere. In my opinion the present age-limits seriously narrow your field of selection by excluding all candidates from families who have done the very utmost they can for their boys in giving them a University career.

47509. (16) What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the system in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation)?—If I am to answer this very delicate question at all, I should prefer to do so by referring first of all to men whose names there can be no possible objection to my mentioning, because they are no longer amongst us. Within the last five years the Civil Service in these provinces has lost seven officers cut off in the prime of their usefulness: Mr. Greeven, Mr. Radice, Mr. Boas, Mr. Last, Mr. Crawford, Mr. Edwards, and Mr. Berthoud. The first five were recruited under the 17—19 years' limit, the remaining two since 1891. Mr. R. Greeven had just been appointed to the Judicial Commissioner's Court at Lucknow; the remaining six were Magistrates and Collectors in charge of districts. All were of the very best; but I think I am simply expressing the feeling of the whole Service when I say that Mr. Radice and Mr. Crawford represented about our ideal of what a district officer should be. For Mr. Greeven's extraordinary powers of mind, his all-round culture, his legal knowledge

and acumen, I had an almost unbounded admiration. You will not, except by some strange accident, get a man of quite his calibre under the present age rules; in another two years he would have got a University fellowship. On the whole I think there is very little to choose in the average quality of the men recruited under the two systems, but I think the present rules give you less chance of securing the very best.

47510. (17) What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—So far as my somewhat limited knowledge goes, I should say we are continuing to get exceedingly good men. I myself examined in "Judicial" the men who came out in 1908 and 1909; I was accused of having set too high a standard, but one young man at least secured well over 80 per cent. of the marks, and I thought the general level of the work surprisingly good. Apart from this, I have formed a high opinion of the all-round fitness and capacity of the men who joined the Service in these provinces during those two years, and I feel bound to put this on record as it tells against my theory that the age-limits ought to be lowered. I know hardly anything of the men who have joined since then.

47511. (18) What is the most suitable age at which junior Civilians should arrive in India?—I have in a way answered this question already. I think twenty-one years is not too young and twenty-four years not too old; I am bound to say I think anything over twenty-four years very late in life for a young man to be starting work as a lowest grade Assistant Magistrate, under existing conditions.

47512. (19) What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—As I have already said, I would not make any difference in the age-limits for the open competition in London, though I see no serious objection to fixing a higher limit for a separate examination in India. I do not think our candidates recruited in India would really mind coming into the Service a little older than the men recruited in England; working in their own country I think they could safely be allowed to remain in employment for three years or so beyond the limit of age fixed for the compulsory retirement of members of the Service recruited in England. In any case, I am strongly of opinion that the suitable age-limits for English candidates should be fixed without reference to the competition of "Natives of India." If both "simultaneous examinations" and a separate examination in India are disallowed, I should be prepared to consider the advisability of allowing "Natives of India" to compete in London at an age two or three years higher than that fixed for English candidates, but this is no part of my general scheme.

47513. (20) On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the above principle, though its acceptance is in my opinion an argument for lowering the present age-limits.

47514. (21) Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age.—I am not prepared with criticism or suggestions on matters of detail. In a general way I think the table of subjects given for the examination at the age-limits of twenty-one to twenty-three answers the purpose fairly well. I would insist upon Indian History being either offered as a separate subject or included under "General Modern History."

47515. (22) Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—Subject to what I have said in answer to other questions I would answer this in the negative.

47516. (23) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions].—I am in favour of trying to get more "Natives of India" into the Indian Civil Service itself, while leaving the existing rights and privileges of that Service untouched.

47517. (24) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—The proposals hitherto submitted by me sufficiently provide for the recruitment of a number of Europeans adequate to set the tone of the Service and to control the general Administration in matters which the English Government is justified in regarding as essential. I do not think any restrictions would be required on the employment of members of the Service recruited as proposed.

47518. (25) Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive

examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I have already expressed my opinion that steps should now be taken with a view to ensuring that from one-fourth to one-third of the selected candidates for the Indian Civil Service should in future be "Natives of India." I do not know if I am expected to enter into a reasoned defence of this opinion. On the one hand, I do not see how the people of this country are ever to learn to govern themselves if they are not allowed to try, and I do not at all like the idea of our trying to govern the country in the teeth of determined and organized opposition from the educated class which we have ourselves called into existence. On the other hand, I hold that we must proceed with caution because the policy I am recommending will not be generally popular, and it is difficult to gauge the extent of its unpopularity except by actual experiment. It will be viewed with uneasiness by the bulk of the Muhammadans in this province, by the smaller landholders, and by the great mass of the agriculturists, who look with dislike and apprehension on any steps which seem to tend in the direction of a "*Vakil Raj*," or government by the lawyer class. Personally, I think this apprehension rests largely on prejudice and ignorance; also that it is already passing away as regards the Judicial Service, in view of the good work by Indian Judges. I therefore advocate the trying of an experiment, limited as I propose, believing that the "Natives of India" thus selected will assimilate the tone of the Service and prove themselves worthy of confidence.

It follows that the existing system of recruitment fails to satisfy me simply because it does not in practice give anything like the required proportion of "Natives of India" amongst the selected candidates. I think it idle to enquire why it should not do so, and sufficient to note that it does not.

Promotion from the Provincial Service is a good thing as far as it goes, but will not meet the case because the men so promoted rise to the higher posts too late in life.

Selection from outside the Services will not do. You cannot put men into high administrative posts without previous training; and for such posts as you try to fill in this way you do not get the best men of the educated Indian class. Their best men have already risen to positions which exceed in attractiveness anything you have to offer them. If you want to have any chance of capturing the very best you must catch them young.

47519. (28) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—It was a failure, principally I think because some period of training in England is indispensable for the work we want. I would not recommend its revival.

47520. (29) What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your provinces? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter.—Practically none.

47521. (31) If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—No.

47522. (32) Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian Services?—I would not try it at all.

47523. (37) Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I really know very little about this. I suppose the advantage of having one single graded list to keep up is considerable from the Secretariat point of view, and I am not aware that the system excites serious dissatisfaction. I see that it is to be carried further in the pending re-organization of the Judicial Service of these provinces, by grading all such posts as "Small Cause Court Judges," "Sessions and Subordinate Judges" and "Assistant Sessions Judges" in a single list of "Subordinate Judges." On the whole I think this rather a pity. I believe the men selected for such posts as are above referred to liked to feel that they were taken out of the ruck of ordinary Subordinate Judges, and that the task of promotion by selection (inevitable if such posts as "Small Cause Court Judges" and "Sessions and Subordinate Judges" are to be adequately filled) is facilitated by keeping these posts outside the ordinary graded list.

47524. (38) Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—I could not improve on the list so far as these provinces are concerned. It must be remembered that under the new re-organization scheme the Provincial Service will get one-fourth of the District and Sessions Judgeships: my proposal is that they should share one-third with the Bar.

47525. (41) Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same?—I do not think there are any.

47526. (43) What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I think a period of probation involving some course of special training indispensable. The

only fault I have to find with the existing system is that a period of one year is in my opinion too short to serve any useful purpose.

47527. (44) What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—In any case I think the period should be two years.

47528. (45) Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—I do.

47529. (46) If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—I should so advise; but my ideas as to the conditions of life and education at the Scotch or Irish Universities are very vague. I should be disposed to insist on the candidates selected in India coming either to Oxford or to Cambridge, because I think they would benefit by the general atmosphere of the place and by association with the men whom they would meet there.

47530. (47) Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—The allowances given in my time came to £300, for the entire period of two years' probation: I think this was adequate and not excessive.

47531. (48) If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—I have no alternative to recommend.

47532. (49) Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and if so, under what conditions?—I think not. More especially, if we are to recruit candidates by examination in India, I want them sent to mix with the general current of life at one of the larger Universities.

47533. (50) If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—On the whole, I would answer this question by a simple affirmative.

47534. (51) Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—I think the one year's period of training so nearly useless that it seems to me to matter little what you try to teach in the time. For a two years' period I think the course laid down up to 1891 generally satisfactory.

47535. (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.—Subject to what I have said in answer to question (51), I am in favour of teaching all the above, including colloquial instruction in Indian languages. I am so ignorant of "Accounts" myself that I am quite vague as to how such a subject would be taught; but I certainly wish someone had taught me something about it.

47536. (53) Do you consider that the probationer's course of instruction can best be spent in England or in India?—I repeat that for candidates selected in India I regard a period of training in England as indispensable. In any case, and for all candidates, I think the period of training is best spent at an English University.

47537. (54) What is your opinion of a proposal to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I do not care for the proposal. I want the young Assistant Magistrates sent out into camp as soon as possible, as they are at present, to mix with the people and see how the machinery of Government actually works.

47538. (55) What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—It would be better than a central college for India; and if any provincial Government was anxious to try some experiment in this line it could easily do so. I am in favour of study leave or a course of law lectures for the Judicial Service, and if any Local Government cared to arrange for all its Assistant Magistrates a short period of special training in Revenue Law, Treasury Work or anything of the sort, the experiment might be worth trying; but personally I think the existing system works well.

47539. (56) In the report of the Treasury Committee appointed to consider the organization of Oriental studies in London (1909) the view is taken that the preliminary training in Oriental languages and in Law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I agree generally with the opinion expressed in the above report.

47540. (57) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether

in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers.—This I feel to be the main practical difficulty about my scheme. I am quite clear that the men recruited in India must go to England, and should go for a period of not less than two years; but I desire this more for the sake of the general training and enlargement of ideas involved in residence at an English University than for the sake of teaching the men particular subjects. My recommendation would be to try in the first instance starting our selected candidates from India on the same course of lectures, &c., as the candidates selected in England, only making each of them take up a vernacular language which he does not know already. Any of them who do not know Hindustani should certainly be made to learn it. For those who have already taken Law degrees in India the Law course will have to be modified, and I would make such candidates take one or more of the science subjects, especially Agricultural Chemistry. Experience may suggest other modifications.

47541. (58) In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—I do not want men in the Indian Civil Service who have never been to England at all.

47542. (59) Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—I have answered this under No. (57). If this question refers to probationers selected at the open examination in London, I would make no difference in the subsequent course of study for these candidates.

47543. (60) Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I believe that in practice the existing system, or want of system, works well. Theoretically far too much depends on the personality of the Collector under whom a young man finds himself in his first district practically; the traditions of the Service prevail, and the men pick up their work, all the better probably, because they are left to follow their idiosyncrasies and are not set to attending courses of lectures or the like when they are quite fed up with formal systems of instruction.

47544. (61) Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—I hate the idea of having to put the men through any further examinations after they arrive in India, but I suppose it is a necessary evil. I have no changes to recommend.

47545. (62) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Obviously the men come out knowing less of the vernacular after one year's training than they did after two; but I believe the test applied at the departmental examinations is now a fairly stringent one. Still I doubt if the majority of us attain to such command over the vernaculars of our respective provinces as it is desirable that we should do. It is difficult to suggest a remedy. I think the teaching during the period of training in England should be particularly directed towards mastery of the script, and that junior officers might be encouraged to do more in the way of reading and writing the script than seems to be done at present.

47546. (63) Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—I have no recommendations to make.

47547. (64) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—For officers generally I think the system prevailing up to 1891 with its two years' training in England, attendance at the Law courts, and subsequent departmental examination out here, would be sufficient.

For Judicial officers I would allow either a year's study leave, or a course of law lectures at an Indian University; but if they elect to go to England I would insist on their combining study leave with furlough to whatever extent might be necessary and getting called to the Bar. The new posts of Sessions and Subordinate Judge sanctioned under the new re-organization scheme can be used so as to afford an invaluable training-ground for junior members of the Indian Civil Service; but it is a pity that the Secretary of State has not given full effect to the recommendations of the Greeven Committee by reserving these posts for the Civil Service, just as the Assistant Sessions Judgeships are reserved for the Provincial Service.

47548. (65) Do you recommend any special course of study in Law in India for officers selected for the Judicial branch?—I believe the Allahabad University could arrange a satisfactory course of lectures, and I would allow these officers the option between taking this course and getting called to the Bar in England.

47549. (66) Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.—As far as possible I would put every officer selected for the Judicial branch in these provinces through the new grade of Sessions and Subordinate Judge, and make him try a number of original suits. If the Secretary of State had not failed to understand the carefully considered scheme of the Greeven Committee as a whole,

we should have had in these provinces an almost ideal system, with six posts of Sessions and Subordinate Judge as the training-ground for the Indian Civil Service in Civil Law, and six posts of Assistant Sessions Judge as the training-ground for the Provincial Service in Criminal Law. Considering that under the new scheme the Indian Civil Service surrenders to the Provincial Service two posts of Assistant Sessions Judge and three of District and Sessions Judge, the six posts of Sessions and Subordinate Judge should have been left to them as proposed.

47550. (67) Do you recommend any system for encouraging the higher study of Law analogous to the rules for the encouragement of the study of Oriental languages?—I do not.

47551. (68) Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—I think no differentiation desirable.

47552. (69) If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.—The same system as for officers recruited in England, subject to the answers already given.

47553. (70) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposal?—I do not consider differentiation necessary.

47554. (72) The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties.

To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I think the system is all right, and would not require to be altered if the age were lowered.

47555. (73) It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—I accept the arrangement as suitable.

47556. (74) Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions and say whether any inconvenience, and, if so, what, has been caused thereby to the Administration?—I cannot answer this question in detail. The existing block of promotion in these provinces is appalling, and you will not get the best work out of the men concerned while it continues.

47557. (85) Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—I only know that the recruitment of the Indian Civil Service for these provinces has been mismanaged so abominably that any business firm under analogous conditions would have dismissed the agents responsible. I arrived in the middle of a period of preposterously rapid promotion, when Government did not seem to know where to turn for qualified Joint Magistrates, and we were thrust into the charge of districts when not yet adequately trained; and this seemed to pass, with scarcely any interval of reasonable well-being, into the disastrous block now prevailing. It ought to be possible to evolve something better than this.

47558. (86) State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?—I have expressed my opinion as to the results; I know nothing about the principles.

47559. (87) Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am satisfied with existing arrangements; I think the Government of India might be empowered to insist on an officer's retiring after he has earned his pension.

47560. (88) To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable, and if so, in what directions?—I think there is very little genuine feeling in this province on the subject of the separation of executive and judicial functions. So far as there is any sense of grievance abroad at all, it seems to me to turn on such considerations as the following:—(i) The Stipendiary Magistrates of the first class who try the great bulk of the "warrant cases" are often seriously overworked. They have to do their criminal work against time, and are sometimes apt to be unreasonably impatient with perfectly honest attempts on the part of the Bar to sift plausible-sounding evidence to the bottom. (ii) It is suspected that zealous and energetic District Magistrates

sometimes exercise undue pressure on the aforesaid first-class Magistrates in the direction of securing a high percentage of convictions and covering up deficiencies in police work. (iii) The first-class Magistrates sometimes feel that they are serving two masters and that qualities which attract the favourable notice of the Sessions Judge are sometimes looked upon with disfavour by the District Magistrate.

To remedy these grievances by means of a scheme for the complete separation of the executive and judicial functions seems to me rather like having your lower jaw amputated to cure an intermittent pain in one of the teeth. I think the real remedy is to provide more Deputy Magistrates (thereby easing the pressure from overwork) and more Assistant Sessions Judges (thereby enabling more cases to be committed to sessions for trial). This last reform I have been advocating for the last dozen years. There are a large number of "warrant cases" triable either by a Magistrate of the first class or by the Court of Sessions; as things are, almost all of these are tried by Magistrates, when probably about a third of them ought to go to the sessions. Indeed, the ideal to be aimed at is to enable the Magistrate in all warrant cases to offer the accused a choice between a summary trial and a commitment to sessions. In my opinion the Subordinate Judge in every district should be invested with the powers of an Assistant Sessions Judge (and I rejoice to see that this is now likely to be done), and in most districts there should be one other officer so invested, either a senior Deputy Magistrate or a Joint Magistrate under training for the judicial line.

47561. (90) Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province.—After going through questions (90) to (135) inclusive I find I have no suggestions to put forward likely to be of any advantage to the Commission. The questions relate to matters as to which I either possess no particular knowledge or experience, or am well satisfied with things as they are.

47562. (136) Are you satisfied with the existing organization of the Indian Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.—I have no alternative to suggest.

Written answers relating to the Provincial Civil Service.

47563. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I consider the general conditions laid down in the said resolution suitable, and have no changes to suggest.

47564. (2) Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—I think the system of recruitment actually in force open to one serious objection so far as the Judicial branch of the Provincial Service is concerned. We get a young man on to our list of approved candidates after he has put in three years' practising at the Bar, and we have to fill up leave vacancies from the list of approved candidates. A man may have to officiate two or three times for periods of one, two or three months before he gets a permanent appointment. This cuts his practice to pieces and puts him to serious expense in travelling, &c. The disadvantage prevents us from getting our pick of the young men at the Bar. We want a grade of probationary Munsifs and, if possible, a self-contained cadre. We are now getting two probationary Munsifs under the Greeven Committee scheme; I wish there were at least one other, and that it were made clear that we can put in a man as probationary Munsif whether he has or has not completed three years' practice.

47565. (5) Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year.—I do not know about this; there are none in the Oudh branch of the Judicial Service.

47566. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.—I do not feel qualified to express an opinion regarding the Executive branch. For the Judicial Service I do not think any system other than that of nomination as at present is really workable, especially in a small province like Oudh. I suppose I could hold an examination of qualified candidates on my own account and for my own satisfaction if I wanted to.

47567. (7) To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—I would not recruit a man for the Judicial Service who was not at least a resident of the United Provinces, and I try to confine myself as far as possible to candidates resident in Oudh. I would not recruit outside the province for either branch of the Service.

47568. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I cannot answer as regards the Executive branch. In the Judicial Service I think it very desirable to try and maintain some sort of a balance between the four classes of candidates, *viz.*, Brahmans, Kayasthas, Muhammadans, and others, and I do it by declining to bring more members of a particular class on to the list of approved candidates as soon as recruitment from that class seems to be getting out of

proportion. At this moment, if a Parsee or Christian candidate were to come forward I should think it a point in his favour, though not such as to outweigh all considerations of fitness.

47569. (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—I know nothing about the Executive branch. I can suggest no system of training Munsifs except putting them in on probation and keeping an eye on their work.

47570. (10) Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—I have no changes to recommend.

47571. (11) Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I do not.

47572. (12) What is the system on which the strength of the Executive or Judicial branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—The Judicial Service in Oudh was much under-manned until we were allowed to make a number of sub. *pro tem.* appointments, sanctioned from year to year, on the report of the Greeven Committee. The staff now finally sanctioned on that Committee's report should prove adequate, though I should have liked one more probationary Munsif.

47573. (13) In particular, is the leave-reserve adequate, and the system on which it is graded suitable?—We have no leave-reserve in the Oudh Judicial Service and I have to fill vacancies from the list of approved candidates. I am going to see if I can use the "probationary Munsifs" so as to avoid drawing on approved candidates for vacancies of a month or less; but the trouble is that short vacancies are generally sprung on me with great suddenness.

47574. (14) Is there any reserve for officers under training and is it adequate?—None, except for the two newly-sanctioned "probationary Munsifs." I know nothing about the Executive branch.

47575. (15) What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—I cannot answer this. In the Oudh Judicial Service we recruit only as vacancies occur.

47576. (16) To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Again answering for the Judicial Service only, I say promotion from Munsif to Subordinate Judge is clearly understood to be by selection. Practically the difficulty is that if you permanently and definitely pass over a first grade Munsif for promotion to Subordinate Judge you break the man's heart and get no more good work out of him. Personally, even when passing over a man, I tell him that his claims will again be considered on their merits at the next vacancy. I propose also to promote by special selection to the new post of Sessions and Subordinate Judge, as well as to the Small Cause Court Judgeships of Lucknow; but it is a little awkward that these posts, as well as two posts of Assistant Sessions Judge, have all been graded in with the Subordinate Judgeships in the new re-organization scheme. Promotion to District Judgeships must of course be purely by selection.

47577. (17) Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I have no suggestions to make.

47578. (18) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—No change is desirable.

47579. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I think the existing system is satisfactory. Under the new re-organization scheme the Judicial branch of the Provincial Service gets 8 Judgeships in the United Provinces out of 32; my suggestion is that they ought to share 11 such posts with the practising Bar, but I would give them their 8 to start with.

47580. (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I have no change to suggest.

47581. (21) Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I am satisfied with the present designation.

47582. (22) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—This is the sound principle, in my opinion; but I think the Judicial branch of the Provincial Service underpaid. I should like to start probationary Munsifs on Rs. 200; have three grades of Munsifs on Rs. 250, Rs. 350, and Rs. 450; and three grades of Subordinate Judges on Rs. 600, Rs. 800, and Rs. 1,000. We are getting quite a good class of recruits as it is; but on the above terms we could very nearly take our pick of the junior Bar.

47583. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general re-organization effected and what improvement of prospects was effected thereby?—The re-organization scheme about to be introduced on the report of the Greeven Committee benefits the Judicial branch of the service,

throughout the United Provinces—(*a*) By throwing open more District Judgeships, as well as two of the new posts of Sessions and Subordinate Judge and two posts of Assistant Sessions Judge; (*b*) By introducing the grade of probationary Munsifs; (*c*) By easing the pressure of work, though I fear the increase of litigation is already swallowing up the margin allowed by the new scheme.

47584. (24) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I have answered this under question (22). I would recommend a slight increase all round.

47585. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I am satisfied with the existing system.

47586. (26) What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am not in favour of a time-scale.

47587. (27) As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—I do not.

47588. (30) Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—The idea is a fairly good one, but in practice it is hard on men promoted to the listed posts. I would give District and Sessions Judges, 5th grade, from the Provincial Service Rs. 1,200 as against Rs 1,666⅔, and keep roughly the same proportion in higher grades. I think the same should be done on the Executive side.

47589. (32) Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—My knowledge is limited to the Judicial branch; they get a month's vacation in the year and no leave on full pay.

47590. (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I believe it is not so taken, and I believe the reason is that the men do not choose to go on leave on half pay unless absolutely compelled by illness.

47591. (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I have no recommendation to make.

47592. (37) Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—The Oudh Provincial Service (I mean the Judicial Service) conceives itself to have a serious grievance in the matter of the vacation. They used to have no vacation, but a right to earn a month's privilege leave each year. They were asked once if they would take a vacation instead, and by an overwhelming majority answered in the negative. Later on, under strong pressure from the then Judicial Commissioner, a majority of them said they would take a vacation instead of privilege leave, provided they might have the vacation in June. On this they were given a vacation in the autumn (September-October). It really is hard on the men, yet I honestly cannot see my way to do anything for them. The interests of the service clash with those of the public, and the former must go to the wall. The month of June is the one month in the year when the agriculturist of North India is at leisure and likes to look after his bit of litigation; we simply cannot close our courts in June, and we do close them for a month in the unhealthiest part of the year when the agriculturists do not want them open. At the same time a month's vacation is preferable in a dozen ways to any system of privilege leave.

47593. (38) In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—There are no excessive transfers of officers in the Subordinate Judicial Service in Oudh; my only trouble is to find men for the unpopular trans-Gogra districts, and to see that men do not take root and flourish indefinitely in Lucknow, Fyzabad, Rae Bareli, and Partabgarh.

47594. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—I have answered this (I fear erroneously) under no. (37).

47595. (40) Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—So far as I know, it is.

47596. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I think that a Munsif on being finally and definitely passed over for a Subordinate Judgeship might be offered the option of retiring on a small pension, say Rs. 50 *per mensem*.

47597. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I have no suggestions to make.

47598. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—So far as I know the rules are satisfactory.

47599. (46) Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am satisfied. I think we get an amazing amount of good work done by men who are certainly none too well paid; and as regards that branch of the service with which I am personally acquainted I am of opinion that we continue to get recruits of good quality, at least not inferior to their predecessors.

MR. T. C. PIGGOTT called and examined.

47600. (*Chairman.*) You are the Judicial Commissioner of Oudh. Can you tell us how many years you served in the general line before you joined the Judiciary?—Excluding short periods, during which I acted as Sessions Judge, I was only permanently in the Judicial line from the end of 1900.

47601. So that you have spent about half your service in each?—Just about.

47602. The Oudh Court is wholly independent of the High Court at Allahabad?—Entirely so.

47603. Are the administrative arrangements of Oudh in any other respects separate from those of the United Provinces?—The laws are different, but I do not know that there is any other administrative difference.

47604. On the whole you are satisfied with the present system of recruitment, but you would like to see marks given, if possible, for physical fitness, proficiency in athletics, &c.?—Yes.

47605. Would you admit that that is rather a counsel of perfection?—It would be difficult to carry out.

47606. Do you regard the present medical test as insufficient?—I think it might be made more stringent.

47607. You are in favour of a lower age for entrance to the service?—I am.

47608. You would like to see an increased period of probation?—That, I think, is very important.

47609. Do you think that by lowering the age a wider field of selection would be obtained?—Decidedly. I should never have got into the Civil Service myself under the existing age-limits, because my parents could not have afforded to keep me until I was twenty-five without earning anything. You are cutting yourself off from a field of selection of which I am a representative, at any rate, and I think it is a considerable one.

47610. You would like to see young men who have been trained in the Indian schools and Universities, associated with the practical work of Government?—I think something should be done in that direction.

47611. But you would prescribe certain limitations?—Yes.

47612. You propose to fill one-fourth of the vacancies in the Indian Civil Service by Indians recruited on the basis of a separate examination held in India?—That is so.

47613. You would make it a strictly selective examination by Government or by Government delegates?—I would regard the competition more in the light of an opportunity for young men, who could not otherwise bring their claims and merits prominently forward, to show what they are worth in the examination, and then I should like Government to select from the top 20 or 30 candidates. My suggestion is that the chance of the examination should be open to any candidate whom Government did not see special reasons to veto before hand; and then selection after the examination.

47614. Would you propose an examination for the whole of India or for each Province separately?—I should think on the whole it would be preferable for the whole of India, but I would rather have Provincial examinations than nothing at all.

47615. Do you anticipate that an unrestricted Indian examination will attract a large number of candidates?—I do.

47616. Would you limit the number of candidates by insisting, for instance, on a degree?—I had not thought of that, but it may be advisable to limit the examination to start with to graduates of the Universities.

47617. What age-limits would you propose for the examination in India?—The thing would be to catch men at the end of their University career. I put down 23 to 25, but I have since been told that that is needlessly high. I want to get it as low as possible, so that possibly 21 to 24 would do.

47618. You want to give them the opportunity of taking a B.A. degree first?—That is my idea.

47619. Might not the degree serve as a reasonable qualifying test for the competitive examination?—I think it might be applied as a test.

47620. You lay stress on this form of examination as distinguished from the proposed simultaneous examination, because, in the latter case, forces would be set in motion which it would be difficult to control hereafter?—That is so.

47621. You would make it quite clear at the start how far you are prepared to go?—That is my main argument.

47622. In your answer to question (10) you say that no system of promotion from the Provincial Service meets the case, because men thus promoted can only hope to attain to the charge of districts towards the end of their career. What would your view be regarding a suggestion which has been made to us, of promoting men of proved merit and ability to the Indian Civil Service at about ten years' service?—As compared with my suggestion I think that is open to two objections. By open competition we should get hold of men who would never enter the Provincial Civil Service on the chance of being selected, and secondly the amount of trouble and heart-burning and jealousies and all sorts of things we should set up by choosing very low down the list over the heads of senior men in the Provincial Service would be a very serious objection.

47623. Do you regard probation in England as being of very great importance for Indians?—As essential.

47624. If officers of ten years' standing were promoted from the Provincial Civil Service, do

you think that a period of probation in England would be as efficacious in their case as it would be for a man of twenty-two?—I should be inclined to say no; that a man's ideas would be set and he would be less capable of absorbing new impressions.

47625. You attach importance to the qualifications possessed by the Indian Civil Service District and Sessions Judge as the result of early training on the executive side?—Very much importance. I mean as the result of their training in ordinary administration work. I am very strongly impressed with the importance of Sessions Judges' work as such. I think the amount of harm which a really incompetent Sessions Judge is capable of leaving behind him in a district can hardly be exaggerated. In this sessions work I find that Indian Civilians who have worked as Assistant Magistrates and then as Joint Magistrates have a practical comprehension of the difficulties of life in villages altogether out of reach of railways, and the inhabitants of which are not in the habit of visiting large towns or making journeys by rail, and also of the practical difficulties and limitations which attend upon police work, and the investigation of crime in the remote districts, and a variety of matters of that nature, which make them more capable of estimating the value of evidence and of conducting thorough enquiry into the facts of a difficult and complicated case than is likely to be possessed by gentlemen whose only experience has been at the Bar, and who are often very little acquainted with the conditions of life in India away from large towns. I have had arguments addressed to me in court in support of criminal appeals by very capable barristers and advocates which seemed to me to disclose very serious limitations in the way of ignorance of the conditions of life in remote villages, and more particularly of the conditions under which an investigating police officer takes up the investigation of a dacoity and matters of that sort.

47626. Your opinion is that that kind of general information can only be acquired by such intimate daily association with the villagers as an executive officer obtains?—That is my opinion.

47627. You would render the Bar eligible for one-third of the judicial appointments?—I have suggested one-third between the Bar and the Provincial Service. It leaves very little for the Bar, but I have said the appointment of District Judges direct from the Bar should be left open and tried as an experiment.

47628. Do you consider the experiment likely to be successful, if limited to a proportion of the posts?—I think it is risky. When I see a man's work under me as Munsif or Subordinate Judge, I am in a position to obtain some sort of idea of whether he is likely to make a good Sessions Judge or not, and yet I have made mistakes. A man has been a complete failure as a Sessions Judge whom I should have unhesitatingly recommended for the post on his work as a Subordinate Judge. With members of the Bar the experiment is a more dangerous one, and once you have made a man a Sessions Judge he is there, and it is exceedingly difficult if not impossible to get rid of him. We know the intellectual capacity of the men, the way in which they can state cases in argument, their legal knowledge, their command of authorities, and the like, but we do not know how they would tackle a difficult sessions case. We have to take them on trust on our estimate of their intellectual ability, and that is why I think the experiment is a more dangerous one.

47629. Holding as you do these views, why do you suggest recruitment from the Bar. Is it with a view to meeting a demand expressed to that effect?—Very largely that, but I do think we might pick up a very good man here and there from the Bar and that it should be open to us to do so.

47630. You agree with the principle that recruitment for the service might well be varied in character?—Yes, in a general way.

47631. How would you view the suggestion that such appointments as we have been discussing should be made from public prosecutors and Government pleaders only, as forming a selected body within the Bar?—I think they would be stronger on the criminal side, but I would not confine it to them. We might get good men who had not done the special work of public prosecutor.

47632. You prefer an open field?—Yes. The recruitment that I am thinking of from the Bar would not entirely exclude the recruitment of an occasional European member of the Bar. I think it is a good thing for the country that there should be a capable and adequate European element at the Bar; and the possibility now and again of being selected for a District Judgeship might help to keep up a supply of young English Barristers for the High Court Bars.

47633. It might induce more Englishmen to come out to the Bar in India?—I am inclined to think so, even though such appointments may be rare. My theory is that the possibility of a thing is an inducement to recruiting out of all proportion to the frequency with which the thing can actually be obtained.

47634. At present Englishmen at the Indian Bar are on the decrease, are they not?—I should say so decidedly.

47635. In your answer to question (25) you say that the proposals you make may be viewed with uneasiness by the bulk of the Muhammadan community and by the smaller landholders and the great mass of agriculturalists. Do you ascribe that feeling to a certain amount of prejudice and ignorance on their part?—I think there is a good deal of ignorance and prejudice about it but the feeling is there.

47636. You do not think there is any valid ground for their apprehension?—I think that under proposals as cautious as mine are the people who entertain these apprehensions would come to realise that the general character of the administration remains the same and that it was only the admission of a certain new element to the personnel, and that that would reassure these apprehensions when they came to realise the fact.

47637. You speak strongly of the breakdown of the present system of recruitment. Can you suggest to us any method which would obviate the evils you mention?—I am afraid I cannot. I really do not know how the thing is actually

managed, except that for a certain period they seem to have managed to get far too few, and then in a panic they began to recruit far too many. I should think that someone could see that that is not done.

47638. Beyond that you are not prepared to offer any proposal?—I do not know enough about it to suggest a remedy.

47639. You do not consider there is a very genuine feeling in your province on the subject of the separation of the executive and judicial functions of officers. One of the remedies which you propose for the evils that do exist is an increase in the number of Deputy Magistrates and more Assistant Sessions Judges. We have had it suggested to us that appointments of Additional District Magistrates might well be made from among officers under training for the Judicial line?—Such officers to perform specially the judicial functions at present performed by Magistrates and Collectors?

47640. Yes. Have you any such officers in your province?—No.

47641. How would you regard the appointment of officers of that status to relieve the Collector of his magisterial work?—The Magistrate and Collector does exceedingly little magisterial work. I notice in the last printed returns that have come to hand that the twelve Magistrates and Collectors in Oudh did between them rather less than eight cases each during the year. I think that it is used as an emergency power where the District Magistrate with his knowledge of the conditions of his district thinks that a particular matter has cropped up which he ought to find time to see to himself. That would not be met by having another man who has not the same all-round knowledge of the conditions of the district trying to do that part of the District Magistrate's work for him. Then there is the question of appeals from second and third class magistrates. The value of that to my thinking lies simply in the insight the District Magistrate gets into the working of Honorary Magistrates, tahsildars, and junior Deputy Collectors. Also I do not think we could trust Honorary Magistrates as extensively as we are doing and hope to continue to do with criminal powers, but for the knowledge these men have that their decisions will come up on appeal to an officer who knows all about them and whose good opinion they value. No Additional District Magistrate would impress their minds in the same way.

47642. Would you have any objection to the appeals in second and third class cases being handed over to the Sessions Judge?—Beyond losing the advantages I have suggested that are derivable from the District Magistrates' supervision over those appeals, I think the question is one of comparatively minor importance.

47643. Can you tell us to what extent the Indian and Provincial Civil Services are being overworked in this province?—I am afraid I know very little except by repute about the executive side, but on general repute I believe they are seriously overworked and require an increase in the cadre. In Oudh, Munsifs were being seriously overworked until the Greeven Committee Report three or four years ago, when Government sanctioned temporarily a very considerable increase in the number of Munsifs; and it has been made permanent since the first of this month. Under existing conditions I do not think the Judicial Service in Oudh should be overworked with reasonable management.

47644. With regard to the Provincial Civil Service, you are not satisfied with the present system of approving and recruiting candidates?—No.

47645. You say that approved candidates after three years' practice at the Bar have to fill up temporary vacancies, and may have to officiate two or three times for some months before obtaining a permanent appointment? Am I to gather that they might officiate on trial and then be rejected afterwards?—Certainly; they may also have to officiate on trial and give every satisfaction, and then have to revert and wait another six months for another chance, which is even worse.

47646. You want a grade of probationary Munsifs?—That is what I should like to see.

47647. What do you mean by a self-contained cadre?—I mean enough probationary Munsifs to enable me to fill up all casual vacancies from the probationary Munsifs' list. I can leave a probationary Munsif's Court closed whilst the Munsif in charge of it is acting for someone else on short leave, but I cannot close an ordinary Munsif's Court, as it would derange matters too much. If I could take the candidates and make them probationary Munsifs at once on an assured salary I could find them jobs where the work was getting out of hand, and meanwhile they would be there when a man broke down in health or wanted leave at short notice.

47648. I take it that these probationary Munsifs would be genuinely on trial?—Yes. I would reserve the option of rejecting them if they failed.

47649. Then the probationary Munsif himself would be in just as precarious a position as before?—His position would be precarious, but he would be drawing, so long as he gave satisfaction, an assured salary. He would not be liable to be sent back to the Bar for some months even though he had given satisfaction, as he is under the present system.

47650. Dealing with the question of annual leave of members of the Provincial Civil Service, you say that you cannot close the courts in June. Is that due to the agriculturists?—It is the one month of the year when the agriculturists would like to see them open.

47651. Is it essential to their interests?—I really think it would be sacrificing the general interests of the agricultural population of the province to the personal interests of the members of the Judicial Service if we closed our Courts in June. It is the month when there is nothing going on in agriculture beyond a little indoor work in the villages, and it is the time when, if the villagers have a little trouble on hand which they would like to see smoothed out in the courts, they are at leisure to come and see about it.

47652. Am I to infer from what you say that the agriculturists use this month, when they have little else to do, for indulgence in the delights of litigation?—I did not mean to imply

that it fostered unnecessary litigation. A man may have a little trouble with his neighbour which he would like to see settled and he is glad to avail himself of that month.

47653. You think that the public convenience would suffer if the courts were closed that month?—I think it would be felt as an inconvenience, and felt as an inconvenience by people whose views would not readily reach you either through newspapers or any other channel.

47654. We have been told by members of the Service that the public as well as officers would welcome the closing of the courts in this month?—There are two opposite theories on this subject. Officers who know what awful conditions they work under in a court in the month of June can hardly conceive it possible that anyone should be called to be in that court at that time. My opinion is the other way. I think that villagers are more comfortable in a court, under a pankha, in a day in June, standing about, than they would be in their own homes.

47655. Can you tell us how many days in the course of the year are public holidays upon which the courts do not sit?—It must be on record in our list and there is a rule on the subject which I cannot recollect. There are eight days at Christmas, ten days for the Mohurrum, and about 30 to 40* days in all.

47656. It is a pretty considerable amount in the aggregate?—Yes, and there are the fifty-two Sundays also.

47657. And these festivals can be regarded definitely as holidays.?—The courts are closed on those days.

47658. (*Mr. Chaubal.*) You seem to be very strongly of opinion that the present age for English candidates is too high?—Yes.

47659. At the same time you appreciate that reducing the age would cause considerable inconvenience to the Indian candidates?—I think so

47660. Would it not meet both to have no minimum fixed at all and have only the present maximum of 24? That would not prevent English parents from sending their boys at the most desirable age they think, whilst it would also suit the convenience of the Indian boys. Would there be any objection to such a scheme as that?—I think the chief objection from the English point of view would be that it would want an exceptionally good youngster of 21 to get a place against the competition of men of 24. It might be done by an odd boy here and there. If there is no other way out of the difficulty I would rather have a lower age for English candidates and let Indians compete at a higher age.

47661. How would it do not to fix a minimum at all for anybody?—That would be my difficulty: that in effect the ages of successful candidates would approximate to the maximum, and in fixing a maximum of 24 you would for practical purposes be fixing a minimum of 22.

47662. For the Indian candidate that would certainly be so?—And I think to a large extent it would be so for the English candidate.

47663. That would depend on the curriculum you fixed. If you contemplate that the age should be a little lower for the English candidate, then perhaps the test may not be so high as it is at present. If it is reduced it will not be necessary for the Indian boy to spend two years at a University after 20 or 22?—That is so.

47664. Is there any objection from the English point of view to having the minimum fixed? What is the point about fixing the minimum unless you are afraid that boys will appear at the ages of 14, 15 or 16?—I see no great point about fixing a minimum myself so long as it is clearly understood that in fixing a maximum you are for practical purposes making the minimum about a couple of years below that.

47665. Your objection would have considerably less weight if the curriculum could be so arranged that there would not be much advantage to older boys over younger boys?—It might have less weight.

47666. As regards your opinion that the members of the Bar are ignorant of village life, I suppose that is rather a general observation?—It is.

47667. There are several practitioners at the Bar who were born and bred in villages in the mufassal, who during school and college life are in close touch and contact with the villagers of the districts from which they came, and it is only after they become graduates and LL.B's. that they become permanent residents of a Presidency town?—I take it from you it is so.

47668. In the case of such persons it would not be quite correct to say they have no knowledge or acquaintance with village life?—I have not said of anyone that they have no knowledge or acquaintance. I say that their knowledge and acquaintance with certain important practical conditions is less than that of the man who has worked there as an Assistant and Joint Magistrate.

47669. But the antecedent life of such men as I have described to you is calculated to give them some information?—Yes.

47670. At the same time such practitioners in presidency towns as enjoy a large mufassal practice, both civil and criminal, would have very close touch with village and mufassal life, would they not?—I think they get the average villager only on one side of him and that not his best side when he is prosecuting a criminal or civil suit.

47671. Supposing I appeared before a Subdivisional Magistrate and I have got to reside in the village and am frequently amongst the villagers, that would certainly be calculated to give me a large acquaintance with village life?—Yes.

47672. Of course there may be different views on the point, but the knowledge which is so obtained is considered by some persons to be knowledge of quite a different character from the knowledge which the young Civilian obtains in his official career as an Assistant Magistrate or Assistant Collector?—That is so.

47673. Can you say how many European barristers there have been in this province during the last ten years?—I am afraid I could not, but I am sure that recruits are not coming out in any numbers.

47674. Is it your impression in this province that such recruits as came, say, during the last ten years, were rather more anxious to secure a

* The number is actually 42.

job than stick to the Bar; that they hardly ever stayed at the Bar but took up work as a Presidency Magistrate or Small Cause Court Judge, and that that is the reason why the European Bar is gradually diminishing?—I think there have been very few recruits to the Bar from England, either to Allahabad or Lucknow, and also of any appointments of any sort or kind of English members of the Bar, and I can hardly answer that question from my own experience.

47675. In answer to question (88) the last reason you give is not one I could follow. You say: "The first class Magistrates sometimes feel that they are serving two masters and that qualities which attract the favourable notice of the Sessions Judge are sometimes looked upon with disfavour by the District Magistrate"?—I am speaking of occasional cases only. I have been told that a first class Magistrate complained that pressure was being put upon him in one direction by his District Magistrate, who said that he was slow and continually allowing arrears to accumulate, while he himself was of opinion that he was only doing his plain duty in trying criminal work with the amount of patience and care which it required.

47676. You cannot help a District Magistrate forming his opinion about the lower Magistracy and their prospects of promotion and other things partly on account of the impression he gets about the man's criminal work?—That is so.

47677. Do you think that there is anything in the view which is sometimes expressed, that in certain cases the Magistrate while disposing of a case has one eye on the opinions of his District Magistrate and another eye on the evidence before him?—I should say as a general answer, No, but I would admit the possibility of such a thing.

47678. Would you think it more possible in cases under the Forest Act and Excise and Abkari Acts, and Opium Act?—More possible.

47679. *(Mr. Madge.)* In your answer to question (1), you say: "There is real force in this contention so long only as competitors are drawn from a fairly homogeneous class." As that definition would apply only to Englishmen at home, are your various proposals introduced because this country does not possess a homogeneous race and therefore you think the competitive system does not work for the Indian Civilian?—When I returned that answer I had in mind two things. Of course the Indian candidates, such as they are, who get into the service by the open competition in London are from one point of view not homogeneous with our English candidates, but they have been assimilated to a certain extent by going through the same system of University education in all cases and school education in some. Out here I should say that the educated class from which we desire to draw is growing increasingly homogeneous although it is some way from being altogether so yet.

47680. You have given us the opinion that if you want to have any chance of capturing the very best men you must catch them young, and that is why I want to know whether the plans you suggest would capture early in life the class of Indians of talent and character whom we see in independent careers?—If we do not, then my proposals are wrong. I make the proposals in the hope that we shall.

47681. You think we are likely to have a chance?—I think we have quite a good chance.

47682. You say in answer to question (9) "I am in favour of filling one-fourth of the vacancies in the Indian Civil Service cadre by Natives of India." Whatever concession you may be willing to make to educated Indian opinion, whether to this limit or even to a larger limit, have you any reason to think that the masses at large desire any change in the administration so far as you are aware of their opinion?—I do not think there is any clear desire for change on the part of the masses at large, although a tendency to a desire in that direction is filtering downwards from the educated class, and as far as I know seems to be filtering down faster in some parts of India than others.

47683. Do you think that in any respects the interests and claims of the educated class differ from those of the great masses?—They do.

47684. I do not want to place one in any antagonism with the other, but as a matter of fact is the Government not bound to consider the interests and feelings of the great body of the people in preference to any other consideration, even while paying just attention to any other claim?—That is so.

47685. It has been suggested to us that there may be some alienation on the part of the Englishman in this country from the educated mind, from the intellectual life of the educated Indian. Do you think this intellectual life of the educated Indian is a reversion to the natural type of this country, or is it partly becoming foreign by developing on political lines?—I am afraid I do not feel able to answer that. I should say I hardly know.

47686. You think a period of probation involving some course of special training indispensable in the competitive examination. Have you thought of the special lines that are now developing in this country, Agricultural Chemistry, Mechanical Industry, and so forth?—I was thinking of special training subsequent to the competitive examination. What is absolutely indispensable, in my opinion, is the training in law and languages and to a certain extent Indian History. Agricultural chemistry was taught in my time and was quite a good thing, but I was not thinking of anything more than that.

47687. Have you had any experience of Domiciled Europeans and Anglo-Indians in the Provincial Civil Service?—I have known two or three Deputy Collectors in my younger days drawn from that community and they were very efficient and capable men.

47688. With regard to the experience that members of the legal profession, who are drawn from villagers, acquire all the conditions of village life, did I understand you to mean that the experience of the magisterial officer in the trial of cases was *sui generis* quite distinct from any general knowledge acquired by merely living in the village?—To a certain extent yes, and it is the experience of police work which a young Magistrate gets, and his power of appreciating the difficulties in the way of the police,

which he would have and the barrister would not. But I wish to say also that my acquaintance with members of the profession who possess the qualifications which were put to me, namely, of having been brought up in villages and passed the greater part of their life there before they came to be University students and keeping touch with their old village life subsequently, is limited. If we could get hold of such men I think they would be very useful.

47689. So far as the magisterial experience goes it is an element in the usefulness of a Judge later on?—Decidedly so.

47690 (*Mr. Fisher.*) Do you think it is a good thing for a member of the Civil Service to work uninterruptedly for two or three years, or perhaps more, in a remote mufassal district?—It was my experience up to five years ago. I do not know that I was much the worse for it. I might have been the better if I had come into a large cantonment station somewhere in the interval.

47691. You do not think there is any danger of a man losing his perspective in getting worried by trifles?—I should say there might be some such danger.

47692. Do you think that the danger is palpable enough to make it worth while insisting upon men taking a month's holiday?—Yes. I think they ought to take more holidays than they do as a rule. The tendency to save up three months and get home has done a certain amount of harm.

47693. Is there not something in the contention that it would be easier for a man to keep his intellect alive if once a year he went from his remote district and spent a month or so in a presidency town?—There is something in that.

47694. With regard to your special scheme, I was not able to understand whether your Board of Examiners who are to test character in England are to be identical with the Board that looks over the papers or not? I should have thought the Secretary of State's Council would make the best available Board, with a co-opted member or two, if they could find time for it? Do you not think there might be a danger of your examiners of character not giving sufficient weight to the intellectual results?—If they gave certain marks to be added to the paper results, the paper results would tell of themselves.

47695. You propose a separate examination for a limited number of places for Indians in India. Would you prefer that examination to be national rather than provincial?—Yes, subject to the better knowledge of officials better placed to know than myself.

57696. Could you tell me what the advantages are?—I think the principal advantage at the back of my mind would have to do with the status which the men would hold afterwards: unless they were selected on an examination open to India, people would say "Here is the good old Statutory Service come alive again."

47697. Might not there be also this further difficulty about a series of provincial examinations, that in some years there would be no examination in a particular province?- Or there might be a very inferior crop of candidates.

47698. You propose that the Civilian should get some legal instruction in India?—I think it is quite possible. I have thought that on the authority of a meeting of the High Court, and Mr. Justice Chamier for one gave a decided opinion that the existing state of the Law School at the Allahabad University was such that they could frame a course of lectures which would be of real advantage.

47699. Could such a course be framed with equal advantage in the other Universities of India?—I do not know, but I do not see why they should not.

47700. Do you attach much importance to the custom which previously prevailed of reporting cases in London?—I think it did me a lot of good.

47701. Would you recommend that that should be re-introduced?—Yes. I think it very important.

47702. Is there anything in the view that it is most important for a Civilian before he comes out here to have a thorough knowledge of the working of an English Law court?—I think so.

47703. And the work of an English Judge?—Yes, and the way they behave, and the way questions of admissibility of evidence are taken up and dealt with, and that sort of thing.

47704. With regard to vernaculars, it has been suggested to us that possibly young Civilians might make faster progress in the vernacular if the books given them in the first instance were in the Roman character?—That is my opinion; but it is important that at some time or other they should acquire facility in the script.

47705. Do you know what method is pursued by the French Jesuits in Southern India?—No.

47706. I suppose they are the best teachers of the vernacular?—They are said to be very good.

47707. (*Mr. Macdonald.*) You are in favour of marking for character: have you any conception of the difference of character of two men, one of whom received 250 for his character and the other 205?—It would be negligible.

47708. You do not lay much stress upon it as a practical proposition?—I am more for having a medical examination for which marks should be given than for any other part of that proposal.

47709. Have you thought of the proposal that a medical examination should take place before the competitive examination so that the doctor would be quite free to reject men?—In my time we had to send in a certificate before we could be examined, but it was mostly a farce. With the number of candidates, as great as it is, I am afraid the medical examination would be only a degree less of a farce.

47710. Even if instructions were issued to the doctors that as these men had no claims at all, and the whole thing was still uncertain, they must rigidly reject men who they felt could not stand the climate of India?—I should see no great objection to that being tried.

47711. With reference to the question of antagonism between sections in India, have you seen that antagonism coming out in the work of the Indians who have passed into the Indian Civil Service?—I think that the Indians who have passed into the Indian Civil Service do their very best to keep free of any such feeling, and so

far as I know succeed in keeping free; but the trouble is that the people do not readily believe them to be free, and do not have the same confidence that they have had a fair and impartial hearing.

47712. That is a question of public opinion, a totally different question from antagonism?—Yes.

47713. The question, as I understood it, was whether the educated Indian has interest different from the voiceless, ignorant masses, and whether that antagonism comes out in the work?—I do not think it comes out in the work.

47714. Does it come out in the work of the Indians in the Provincial Service?—Only to this extent, that caste interest is sometimes very strong, and complaints do reach one that it would be advisable to make a transfer or two, at least in the interests of the confidence which the public would have in the administration of justice.

47715. That is a question of what you would call favouritism, and not so much antagonism of interests, in the same way that a Scotsman might be accused of putting another Scotsman into a place under him which is very often a great benefit to society. But keeping clearly in mind this question of antagonism, do you find this antagonism of economic or other interests between the educated classes and uneducated classes really influences the Administration in India when Indians are put in responsible positions?—As regards Judicial work I have known cases in which I myself came to the conclusion that an individual officer was too amenable to social pressure where a case was before him in which the interests of his own caste were involved, but not frequently.

47716. Have you heard the same about Englishmen?—The Englishman so rarely gets a case in which his own class is involved that I can hardly conceive of its happening. In a cantonment town it might be suggested, in a case in which the military had a case against natives of the country or *vice versâ*, that the English Magistrate had an interest there, but my experience is that it is the military who complain that our courts always lean against them.

47717. Would you say that the whole of this question of antagonism is really appreciable in its influence on the Administration, leaving individual cases on one side?—I would not.

47718. You say that it is important that Magistrates should have police experience before they become Judges?—I think so.

47719. But I suppose you will admit that the police themselves have a greater experience of their duties than the Magistrates?—I think so.

47720. Would you conclude from that that the police ought to be made Judges?—No. They are lacking in other training.

47721. Am I right in taking your meaning to be this, that the Judge should have as wide an experience as he possibly can and that some men acquire that experience in one way and others in other?—Yes.

47722. Would not a barrister who has had the experience of an advocate and a legal adviser have that experience in a different sort of way?—I should be inclined to say no, not the same.

47723. Would not the knowledge that a Magistrate acquires of police operations give him a turn of mind which sometimes would tend to obscure his legal decisions when he comes to give them from the Bench?—I do not think so.

47724. You do not think that what is known as the political mind as apart from the judicial mind might take a firm root in the Magistrate who has been an Executive officer for eight or ten years before he appears on the Bench?—Honestly I do not think so. I do not find it so.

47725. *(Mr Sly.)* During your experience of judicial work in India have you noticed cases in which undue influence has been exercised by the District Magistrate over his Subordinate Magistrates in the trial of individual cases?—Never in the trial of individual cases.

47726. And in any other way has there been undue influence exercised by the District Magistrate?—Not in the way of influencing their decisions, but sometimes in the way of insisting upon a more thorough and searching enquiry being made than the Magistrate appeared disposed to make.

47727. Do you consider that would be undue influence?—I should not call it so.

47728. In regard to a particular class of case in which it is stated that Government is specially interested, such as Excise, Forest, and the like, has your experience shown that there has been any undue influence towards conviction?—I could not say that I have ever come across an individual case of which I could have said that.

47729. Does your experience lend any support to the opinion that District Magistrates abuse their power of transferring magisterial cases in order to secure that a case should be tried by a Magistrate who would be favourable to the view the District Magistrate may be supposed to hold?—Absolutely not. I think that sometimes District Magistrates are unduly nervous about using their power of transfer when they ought to use it.

47730. Do you know whether cases have occurred in this province in which the preventive sections of the Criminal Procedure Code have been abused for the purpose of taking action against large land-owners or influential persons who were supposed to be in the disfavour of the District Magistrate?—None.

47731. What would be your opinion of the proposal under which the magistracy should be entirely separated from the Collector and placed under a separate District Magistrate?—I do not think we are ripe for it in these provinces. I do not think it would work. Oudh is a backward part of India; we are not sixty years off from a perfect chaos of anarchy and misrule. The contest at present between the forces of order and the professional criminal is a hard one, and an Oudh district can easily slip back into a state in which dacoities are frequent and crimes of violence far too frequent, and the magistracy needs all the strength it possesses at present to deal with that state of things. The experience of the District Magistrate at the head of the whole thing in his double functions, I think, is still indispensable to the efficient administration of Oudh.

47732. What would be your opinion of a further proposal that the whole of the judiciary should be separated off and placed under the High Court, all control being withdrawn from the Executive Government?—I do not think it would work.

47733. One of the proposals which you have recommended is an increase in the number of criminal cases to be committed to the Sessions Court instead of being tried by a Magistrate as a court of first instance. This would practically involve two investigations of a criminal charge. Is it, or is it not, the case in this province that such a change would lead to a certain amount of opposition on the part of witnesses and would result in considerably more difficulty than at present exists in inducing them to come forward and give evidence in criminal cases, owing to the fact that they would have the extra trouble and inconvenience of attending two trials one of which would probably be at a more distant place?—Witnesses do dislike being hauled in twice over to give evidence in the same case, and there is that drawback against the suggestion I have made. I think it would be minimized if the Magistrate before committing for trial confined himself strictly to what I consider to be the proper functions of a Magistrate conducting an enquiry preliminary to commitment, namely to seeing that a complete and adequate sifting of the evidence was carried through to see whether there was a *primâ facie* case, and also to seeing that the case for the prosecution was placed clearly and completely before the Sessions Court. If he insists upon half trying the case before he commits for trial then your objection applies fully.

47734. But even if he only enquires into the case to the extent you suggest, does it not involve the attendance of the witnesses at two separate enquiries?—They are very often made to come twice to the Magistrate in a really hard-fought case.

47735. The existing rule for the recruitment of the Provincial Judicial Service requires that a candidate should have three years' practice at the Bar; we have heard a certain amount of evidence about the advantage of that system and a certain amount about the disadvantage. On the one hand it is alleged that it gives an opportunity for estimating the worth of the candidate, and on the other hand it is alleged that during the first three years of his practice a candidate gets no practice worth the name, that it really means that he loafs about for three years instead of doing work and at the end of that time is not such a qualified candidate as he was at the beginning of the three years. What is your experience in this matter?—Personally I look very jealously, before I accept a candidate, to the certificate of the District Judge or of some other court, showing that the man has actually appeared and worked before the court, that is to say, that he has had some practice. I do not easily let a man in, who cannot give me a certificate to that effect. But I think that now we have a grade of Probationary Munsifs, so that I can try a man on probation first, the training at the Bar is less important. I should prefer to have the rule relaxed so that I could make a man a Probationary Munsif after two years at the Bar instead of three.

47736. But would not the system of probation be a satisfactory alternative to a certain amount of practice at the Bar?—I would like to have a man who had put in a year at the Bar before taking him on probation.

47737. Yours is one of few recommendations that we have received that the Provincial Judicial Service should be changed into a self-contained cadre, with a training and leave reserve. In most other provinces of India we have been told that the existing system is satisfactory and that there is no need for a reserve; that under existing conditions you can recruit from a satisfactory source at the bottom at any moment for any vacancy. In your opinion that is not the case in Oudh?—It may be that the smallness of our cadre affects the question. I find that a leave vacancy is almost always sprung on one. The majority of the Provincial Service, rightly or wrongly, are very reluctant to take leave on half pay except upon a breakdown in health, and I get these applications for leave shot in upon me at short notice when the applicant is really incapable of doing any work. When I have no Probationary Munsifs I have to hunt about for a member of the Bar and tell him he must go off, and a man who declines an invitation like that I have to tell I have no use for him on my list of qualified candidates. I consider that a fault in the system.

47738. You allude to some flaw in the orders passed on the Greeven Committee Report with regard to the filling of posts of Assistant Sessions Judge. Can you explain this point in more detail?—Before the Greeven re-organization scheme there were, between the grade of District and Sessions Judge and the grade of Joint Magistrates on the one hand, or of Subordinate Judge in the Provincial Service on the other, six posts of Assistant Sessions Judge, four of which were held by the Provincial Service and two by members of the Civil Service who expected to go into the Judicial line. The two posts of Assistant Sessions Judge were of very little use to the Indian Civil Service, and were not popular because they only meant that a Joint Magistrate would do as Assistant Sessions Judge very much the sort of work he was already doing on the criminal side as Joint Magistrate, and that he had not the time to spare for doing original civil work while he was in training. The Greeven Committee proposed six new posts of Sessions and Subordinate Judge. The holders of these posts were to have the full powers of a Sessions Judge with, on the civil side, the powers of a Subordinate Judge. In the view of the Greeven Committee these six posts were to be reserved to the Civil Service and to be their training ground in civil law. The idea was that a Civilian who had been a Joint Magistrate might be taken to be qualified to start work as Sessions Judge with the full responsibility of a Sessions Judge but that he had better not do District Judge's work until he had tried what it was like to be a Subordinate Judge. On the other side the Civil Service was to give up the two posts of Assistant Sessions Judge, so that the entire six posts of Assistant Sessions Judge

were to go to the Provincial Service and we were to take such Subordinate Judges as we thought might make District and Sessions Judges hereafter and try them first of all on the criminal side, with the limited powers of an Assistant Sessions Judge. Somewhere or other, I believe in England, the symmetry of the scheme has been upset by taking away two of the posts of Sessions and Subordinate Judge and giving them to the Provincial Service. This means that we have to do just what we were trying to avoid doing, give the Subordinate Judge the full powers before he has been tried as Assistant Sessions Judge, or at least we may have to do that in order to fill these posts. It has upset the balance of the scheme.

47739. (*Lord Ronaldshay.*) With regard to your last answer, I should like to be quite clear as to whether a man occupying the post of a Sessions and Subordinate Judge has any appellate jurisdiction on the civil side, or does he merely try original civil cases?—He would have jurisdiction, but the theory is that his District Judge should give him as far as possible only original work.

47740. With regard to your list of approved candidates for the post of Munsif, when a man has once got on to the list does he continue to practise as a Barrister?—Yes, he must live. He does not get a brass farthing.

47741. Does he get nothing when put on for a month?—Then he gets the pay of the post, and he may have to go a hundred miles journey and break up his practice to do it.

47742. He is paid by piece-work instead of by a regular salary?—It comes to something very like it.

47743. With regard to the recruitment of Indians to the higher Service, I understand you are not altogether satisfied with the system of promotion from the ranks of the Provincial Service because the men when promoted are too old?—I like the system so far as it goes, but I do not think it is any use as a further basis for meeting the aspirations of educated Indians because of that fact that they get in too old.

47744. The Chairman suggested to you that it might be possible to select men from the Provincial Service at a much younger age and you said that it would create discontent among the rank and file of the Provincial Service?—I think so.

47745. Yet at the same time you would not be averse to taking a man from the Bar for the post of a District and Sessions Judge. Supposing there was a vacancy for the appointment of a District and Sessions Judge, which system do you think would create the most dissatisfaction among the ranks of the Judicial Service, to take a brilliant member, possibly a fairly young man, from the ranks of the Service itself, or go outside the Service and take a man from the Bar and give him the post over the heads of the whole of the Provincial Service?—They would be much more dissatisfied with your going outside, but I would not make the appointment from the Bar at all until the Provincial Service held at least eight Judgeships out of the thirty-two. So long as they knew that I do not know that the discontent would be marked. They would feel that they had a chance of that post and might have got it, but that Government was within its rights in going outside. If the Bar were allowed to trench on their eight posts they would feel it bitterly.

47746. If it was recognised that Government had the right to select brilliant officers from the Provincial Service on the grounds of their having shown capacity in the earlier years of their work, do you think it would not be recognised it was an advantage to the Service as a whole that they should have their brilliant men selected for promotion to a higher Service?—I would rather you did that than nothing at all for the educated Indian. I do not like it quite so much as my scheme, because I think we should tap another class of men by the competitive examination.

47747. The mere fact that a very few members of the Indian Civil Service can in the necessity of things be appointed to a post like that of Lieutenant-Governor does not create dissatisfaction among the rank and file of the Indian Civil Service?—Not at all.

47748. I do not see therefore that there is any really very great weight attaching to your objection to a system of promoting picked men from the Provincial Service to the higher Service?—I think we should have to let it be distinctly known that the promotion to a District and Sessions Judgeship was a matter of selection pure and simple. The men passed over would say they had been passed over. Judicial work is very peculiar. Every Judge tries his cases as well as he knows how, and a Judge is rarely capable of conceiving how a case could be tried better than he tried it. Therefore men who are superseded by a brilliant younger man would ask why, and they are very hard to satisfy when they start asking questions.

47749. Under the present system of listed posts does not the system of selection come in to a certain extent?—It must necessarily do so.

47750. So that really a system of selection is in force even now?—Yes, only your suggestion involves going still lower than we do under the existing system.

47751. (*Mr. Tudball.*) Have you a clear idea as to the exact number of holidays there are in the Judicial Service?—No.

47752. Are not magisterial courts also closed for similar holidays?—Not quite to the same extent, but they are closed. The chief difference would be in things like the Muharram where the Judicial takes ten days and the magisterial only 3.

47753. As a matter of actual practice, do not we all, including members of the Provincial Judicial Service, utilise those holidays for doing our judgments?—I could not possibly keep up my work without using the holidays.

47754. So that it is not a holiday at all if one has to work?—There is a great deal in that.

47755. In regard to recruitment to the Provincial Judicial Service, do you not think it would be far better if we took them at the age of about 25?—I would like to get them a bit younger if possible.

47756. They can pass their LL.B. at 22?—Yes.

47757. Two years' practice would bring them up to 24. Would it not be better to catch them young?—I should prefer to get them younger than we are doing.

47758. Would we not be able to get a better choice?—I am inclined to think so.

47759. With a full staff of probationers we should not have to meet that difficulty of which bitter complaint is now made by the Bar, that a man takes a post for a month, goes home at his own expense, has two or three months at the Bar, and then gets another post, all at his own expense?—I want at least one more Probationary Munsif before I can meet that.

47760. With a full staff of probationers you could meet it?—Yes.

47761. Would there be any objection to Deputy Collectors with first-class powers officiating as Assistant Judges?—I want them to. Without even being called officiating Assistant Judges I should like them to be given the powers of an Assistant Sessions Judge.

47762. They have considerable experience in criminal work?—Undoubtedly.

47763. And that would be the major part of their work?—Some of them would do very well if you pick them carefully.

47764. I do not know whether you have heard of the proposal that the 4 per cent. contributed by Indian Civil Service members towards their pension should be put into a Provident Fund and handed over either to the heir of a man when he dies or to himself when he retires, the Government giving a fixed pension in addition?—I am very bad at finance, but personally I would stick to my pension.

47765. *(Mr. Kanhaiya Lal.)* With reference to the recruitment of District and Sessions Judges for listed appointments, you have said you would throw open some of the listed appointments to the members of the Bar, Indian and English?—Occasionally.

47766. Not generally?—No.

47767. You recognise that the experience of the members of the Bar is more or less one-sided?—I think so.

47768. They either do criminal work or they have civil practice?—Very largely so.

47769. And that is a disadvantage?—Yes.

47770. Do a larger number of cases pass through the hands of a Judge in the course of a year than though the hands of a member of the Bar?—I suppose so.

47771. Do the English members of the Bar make as earnest an effort to study the Indian languages current in the province as the members of the Indian Civil Service do or are required to do?—I should say no as a whole.

47772. Does that hamper them in their cross-examination of witnesses or in their examination of evidence or documents in the case?—Yes.

47773. Is that one of the reasons why they are not getting much work or are on the wane?—It may be. The chief reason is the enormous improvement of the Indian Bar.

47774. But is their insufficient knowledge of the vernacular a contributory cause?—I think so.

47775. With regard to the listed Judgeships, I suppose you would insist upon a man having both civil and criminal training whether he belongs to the Judicial or the Executive Service before you give him an appointment?—I want to do so.

47776. You recognise that three-fourths of the work of an average Judgeship is civil?—I should have thought the average was a half criminal and half civil. I have not seen the last returns of the number of days devoted to civil and criminal work in each Judgeship, but my impression is that it is much nearer a half than one-third.

47777. In other districts the proportion might vary?—I should say that one-third was more like the minimum that a Judge would give in the busiest Judgeships to criminal work, and the maximum may run up to two-thirds. I have known it run up to the whole of a Judge's time for three consecutive years.

47778. Would you appoint members of the Provincial Executive Service as District and Sessions Judges?—I have not said anything about that. I said Assistant Sessions Judges.

47779. That would be for the purpose of giving them civil training?—No. It would be for the purpose of getting more cases committed to the Sessions and seeing how the men get on.

47780. You would not give them civil cases?—I do not see how you are to, except what they get out of their rent and revenue work.

47781. You would confine the recruitment for District and Sessions Judgeships to the members of the Bar and the members of the Judicial branch of the Provincial Service?—I would leave it open to the Government in a possible case to put in a Deputy Collector, but I would not recommend it.

47782. In any case you would insist on a man having both civil and criminal training before you accept him as a fit candidate for a listed appointment of that character?—Yes.

47783. Have there been many casualties and breakdowns amongst the members of the Judicial branch of the Provincial Service?—We have lost two Subordinate Judges quite lately.

47784. One was suffering from diabetes and the other from paralysis?—I believe so. One was a hill-man who ought not to have accepted a sedentary employment in the plains, and the other broke down from overwork I believe.

47785. Is the large number of casualties due partly to overwork?—I think there has been overwork.

47786. Partly to the nature of the duties which a Judicial officer has to perform?—Yes.

47787. And partly to the stringency of the rules under which privilege leave is denied to him except on half pay?—I would put it partly to the inveterate reluctance of the Provincial Service, chiefly the Hindu portion of it, to availing themselves of leave on half pay, a reluctance with which I am only able partly to sympathise.

47788. Can you say whether they find it possible to live on half pay, considering the salaries they receive in the lower grades?—I have never lived on my furlough pay, but it has not prevented me taking furlough. *Mutatis mutandis*, I cannot see why they should not save towards the expenses of furlough. I have done it myself.

47789. Would the pay in the lower grades leave much of a margin?—Why is it that in the casualties there is only one Muhammadan to thirteen Hindus?

47790. The number of Muhammadans is smaller?—But not in the proportion of one to thirteen.

47791. Do you find that Muhammadans take privilege leave more largely than Hindus?—I think they are less obdurate on the question of availing themselves of leave on half pay.

47792. Have there been more frequent applications from Muhammadans than Hindus?—I have not checked the figures.

47793. Do you think a compulsory holiday necessary in the interests of judicial efficiency?—Most necessary.

47794. Does the compulsory recess of thirty days comprise many close holidays?—At least a dozen such days.

47795. Are the last Saturdays of the months allowed to the civil courts as close holidays?—No.

47796. Do you consider the travelling allowances granted in cases of transfer sufficient?—I would say they were inadequate?

47797. It operates as a fine on the officer?—Yes.

47798. Would you recommend officiating promotion for the members of the Judicial Service, or would you prefer a higher scale of salaries?—I have suggested a slight increase of salaries all round.

47799. You would prefer a higher scale of salaries to giving officiating promotion?—Decidedly.

47800. (*Mr. Fasih-ud-din.*) I believe you have a good opinion of the criminal work of a Deputy Collector?—I have as a rule.

47801. You have formed that opinion while serving as a District Magistrate and as a Judge and a Judicial Commissioner?—Yes.

47802. Has an Executive officer more hard work than a Judicial officer in Oudh?—I think so under present circumstances.

47803. Do you know the number of medical certificates for leave that are put in by members of the Executive branch?—No.

47804. You say in answer to question (12) "On the Executive side I would leave to the Provincial Civil Service the few posts at present open to it, as it seems to me of the first importance, from the point of view of the prestige and attractiveness of that Service, that the chance of rising to the executive charge of a district should be open to its members. Besides which I think we should get some good men in this way who would never succeed in entering by the door of the competitive examinations. Is it your opinion that the present number of listed posts for Deputy Collectors should be kept unchanged, or do you open any prospects for the Executive Branch?—I am afraid that if my suggestions were taken as a whole I would have nothing more to offer the Executive Branch.

47805. You would not open any further prospects to that branch?—Not after giving 25 per cent. of the Civil Service posts to Indians?

47806. You mean to say that they should get the 25 per cent. of listed posts?—Not the Provincial Service, but I have suggested a plan which provides for a large increase in the number of Indians in the Civil Service itself. Having done that I am afraid I could not see my way to do more.

47807. Some of that would come to the Executive service?—Not unless they could pass the examination.

47808. May I suggest that the junior officers may be given more chance to officiate in the listed appointments and for longer periods than six weeks in order to train them for the higher grades of the service?—I should have no objection to that six weeks' restriction being done away with. I think it would be rather a good thing.

47809. Are you aware that a Deputy Collector does civil work in the Kumaun division?—Yes.

47810. And he is empowered to try civil cases up to Rs. 5,000?—That is so in Kumaun.

47811. You have heard nothing against his fitness to do that work?—Nothing.

47812. I believe as Judicial Commissioner you have received applications for transfers of criminal cases from one court to another?—Yes, from time to time.

47813. These applications, I believe, are not based on the fact that a person happens to be a Joint Magistrate or a Deputy Magistrate, but have reference more to the individual officer?—Always to the individual only and to his conduct in connection with a particular case.

47814. You would not agree with a certain witness who said that they are chiefly based on the fact that an officer happens to be a Deputy Magistrate under the thumb of the Collector?—No. That is not so.

(The witness withdrew.)

MUHAMMAD ALI, ESQ., Editor and Proprietor of the "*Comrade*" and the "*Hamdard*," Delhi.

Written answers relating to the Indian Civil Service.

47815. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—My experience is of a twofold character. I was a candidate in the Open Competition in England in the years 1900 and 1901. I have also been able to study the working of the system of recruitment by Open Competition in the United Provinces, the Bombay Presidency, and Bengal. I am domiciled in the United Provinces, was employed in Baroda for seven years, and for two years published the *Comrade* from Calcutta, whence I have only recently transferred the paper to Delhi. In studying the system considerable light has been thrown by more direct experience of administration in India in Baroda State during my period of service. I do not consider a system of recruitment by an open competitive examination which tests only intellectual qualifications as satisfactory in principle for India.

47816. (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—As I have stated in my answer to question (1), a system of recruitment depending upon an examination which can test only intellectual qualifications is unsatisfactory for service in a country which is in some respects unique in the world. The chief distinguishing characteristic of India is its caste system, which has divided the population into watertight compartments, and has given to each caste

distinctive virtues and distinctive failings. In a country like England where there is a great homogeneity of character, the candidates who offer themselves for a literary competition are, as a rule, almost on the same level of physical fitness, practical commonsense, courage, and grit. That this is not so in India is amply borne out by the action of the military authorities which limits recruiting to certain classes, and it would be apparent to anyone who placed a frontier Pathan, a Gujrati Banya, a Poona Chitpawan a Punjabi Jat and a Bengali Babu in the same row. If one is much superior in courage or physical endurance, the other would be equally superior in intellectual nimbleness or business subtlety; and an equally great contrast would be discovered in moral rigidity or suppleness. If it is not only mental acuteness that makes a good administrator—and no one who has studied the history of India and the success of men who were intellectually often inferior to the men over whom they ruled will assert the contrary—then a purely literary test will not secure good administrators, while it will favour class against class, resulting in injustice on one side, and producing inefficiency on the other. This is the main objection to the present system when judging it from the point of view of Indian communities among themselves.

But the present system is no less unjust to Indians as a whole as against non-Indians. Any examination held at a distance of 7,000 miles from the country for the administration of which it is to provide recruits is obviously unjust. Apart from the question of distance, which acts as a deterrent, there are the difficulties of caste, which are still very great for some classes of Hindus throughout the country, and for all classes of Hindus in certain parts of India. No one among Hindus could cross the seas without incurring social forfeiture. Then there is the question of climate, many Indians being unable to stand the climate of England. Besides, there is the great drawback that a stay of several years' duration in England without the restraints of a home and an extensive social circle is known to have wrecked the character and life of many an Indian of good intentions by outting him adrift from his social moorings. But the most serious drawback of all is that a stay in England entails more expenditure than young men of the middle classes in India can afford to incur without seriously dislocating the finances of their parents and relations. In England it is not the aristocracy that seeks for its young men a career in the Civil Service: for the Army, the Navy and Diplomacy provide opportunities of acquiring distinction and influence for them. It is the English *bourgeoisie* that finds for its sons an important avenue in the Civil Service. But in India it is just this class that is at present excluded. Even the successful candidates among Indians have to pay a heavy price for their success. But the unsuccessful one often returns to his country impoverished, saddened, and diminished both in body and mind, no longer loving the things he loved before, or believing in the things of his former faith. An eminent French writer wrote of such a person that the French word *raté* is in its cruel insolence too feeble to point to the profound and incurable misery of such a life of failure, of such destroyed fortune, and of such intelligence which is for ever troubled. It is a case of *aut Cæsar aut nullus*. The successful Indian may not exactly be a Caesar: but he has an established social position, a regular graded promotion, if not the plums in the cake, a fairly high salary, and, at the end of a steady career, a pension which ensures comfort if not luxury. But the "failed Civilian" is indeed worse than a "nobody." He is too old to study for a profession and too indigent to wait on the threshold of a career for any length of time. And when the vagaries of the competition are taken into account it may be that he is a man of greater talents than some who were successful in it, or who, avoiding the severer intellectual test, entered the world through a wider door and have achieved success. It is at such times not unlikely that the iron enters into his soul, and his failure, while wrecking the man altogether, makes him a menace of no inconsiderable proportions to the security of British rule in India. To sum up, the two main defects of the present system are that it is unfair to Indians as a whole as against non-Indians; and it is unfair to some classes of Indians as against others; and it has not the compensating merit of securing efficiency of administration either.

47817. (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I have already answered this question in my answer to question (2) and shall recommend alterations in my answer to question (5) I may, however, state here in answer to question (4)* of questions primarily intended for official witnesses that I would strongly urge the exclusion of every native of a Colony which insists on retaining humiliating restrictions against Indians, partly because a measure of retaliation is now absolutely necessary to ensure justice towards Indians and the promotion of Imperial solidarity, and partly because it seems to me that natives of such Colonies are not likely as a rule to possess a temper which is necessary for successful administration in India.

47818. (4) Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination of the open competitive examination for the Home Civil Service with that for the Indian Civil Service is not to the advantage of Indian interests. The most successful candidates as a rule elect to stay in England. Moreover, it would be preferable to allow only those candidates to compete for service in India for whom the country has other and less sordid attractions than a fat salary no matter where it can be secured.

47819. (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you will propose.—I would leave the open competitive examination as it is, except for some modification in the syllabus, for

* *Vide* page v.

candidates examined in England, as on the whole it gives us good enough men for the administration of the country, differing, in the case of the Europeans, not very considerably among themselves in administrative talents, while it is an excellent safeguard against nepotism.

But in order to remove the injustice to Indians, I would suggest the following plan.

A separate examination should be held in India for a number of appointments.

Candidates should be nominated by a Board composed of University authorities, some civil administrators, and a number of public men representing different communities and provinces. They should carefully test the physical fitness and proficiency in sports, and the manners and general bearing of a candidate, and, particularly, the position he may have acquired for himself among his fellow students at his college. The testimonials of his college tutors should also be considered, although I have noticed of late a tendency among some European tutors to prefer the sycophant to the manly and straightforward undergraduate.

As a rule only graduates should be declared eligible for nomination.

Three times as many candidates should be nominated as the number of posts to be filled in a year.

The principle of nomination of candidates for a competitive examination is already recognized in some provinces for the Provincial Civil Service, and by the Government of India itself for the General List in the Finance Department.

A more delicate question is the due allotment of appointments among different communities, which is a principle already admitted by the Government of India in their Resolution (Home Department) Nos. 1046—1058, dated Simla, the 19th August 1910. In laying down the general conditions which should govern recruitment for the Provincial Civil Service, the Government of India gave special prominence to this principle while permitting Local Governments to frame rules for such recruitment. The first general condition laid down by the Government of India is that "the rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the Public Service of the different classes of the community." And in reply to the Hon. Mr. Subba Rao, who moved a resolution for the appointment of a Commission such as this in the Legislative Council of His Excellency the Viceroy, on the 17th March 1911, the Hon. Sir Archdale (then Mr.) Earle said that "a fair proportion of the offices should be given to the various communities of India."

It is sometimes asserted by politicians of a certain class that some communities in India hanker too much after "the loaves and fishes" of office. That the importance of a community as well as its happiness depends to a considerable extent on its position in the Public Service of the country, is the necessary corollary of India's demand for a larger share of the posts for her sons. What is true of India as a whole is also true of its component parts, namely, the communities.

But even the argument of "loaves and fishes" is not to be despised. There are several communities in India, such as the Rajputs, the Sikhs, the Mussalmans, and the Mahrattas, which were the last to turn to the new education that threw open the doors of office to them, and are consequently in most provinces of India still behind the Brahmans of the South, the East, and the West, and the Kayasthas of the whole of India, both in English education and in their share in the public service. Yet they, and specially those in the North, are just the people who possessed, and I believe still possess, great administrative talents, and have been for ages most dependent upon public service for their maintenance. If you close to them the avenues of public service you deprive them almost entirely of their means of subsistence.

For instance, among the Mussalmans the Moghuls, the Pathans, and the Persians, who administered the country, never condescended to trade, but either settled on the land or took service. The privilege of rule departed from them by degrees, and new regulations were enacted and new systems introduced. The first to suffer were the zamindars whose lands were resumed so largely after the Mutiny, either on suspicion of complicity in the Sepoy Revolt or for failure to produce title deeds. At the same time the military services were in great degree cut off from them by the establishment of more settled administration and less disturbed peace, as well as by the reduction of armies in Protected States and the closing of the higher posts for Indians in the British Indian Army.

After these followed the still greater misfortune, from one point of view, of a change in the official language from Persian into English, which is sought to be aggravated by repeated political onslaughts on Urdu threatening the Mussalmans with a loss of even the minor posts in the public service.

Thus we were faced with the unsatisfactory phenomenon of a vast community, growing yearly more numerous and at the same time less prosperous, of a community owning the instincts and traditions of administration excluded more and more every year from the administration, and of a community which had good grounds for tracing its misfortunes to the unfavourable conditions imposed upon it by the British Government.

The Muhammadans of Northern India were restless and dissatisfied, and the question was in what form their repressed energy, fired by misfortune and threatened with despair, was likely to find its vent. It lay partly within the power of those who ruled India, and partly within the power of leading Mussalmans themselves, to guide this energy into right channels, and, fortunately for the country, the community and the Government, there arose among the Muhammadans a leader like Sir Syed Ahmed Khan, who guided them wisely and made them apply themselves to the acquisition of modern education rather than brood sullenly over their misfortunes. The Government also gave a helping hand, and the good results of that policy are too noticeable to need detailed reference.

But recently, although the Muhammadans are progressing in Western education at a rapid pace, one can detect in British administrators,

and particularly in public men in England, a tendency to disregard the real needs of the future, and an unctuous readiness to take the line of least resistance. The result is that Indian Mussalmans are now growing more conscious than before of the strength of their claims, and yet less confident of having those claims recognized by their rulers in India and in England, simply because their resistance to a good deal of injustice tacitly tolerated has not been as great as that of, politically speaking, more forward and assertive communities. The menace lurking in the situation is imperfectly realized by Government, and the greatest offenders in this respect are just those Englishmen who are most anxious to do justice to the claims of Indians.

Both as a measure of justice and of political expediency it is necessary to allow the Mussalmans, specially in those provinces in which they are still very backward, an opportunity of coming into line with other communities. This is no favouritism, but the only practical form of fair play.

I, therefore, suggest that, while allowing free competition for a number of posts out of those which I would reserve for a special examination in India for nominated candidates, the rest should be open to a limited competition only among such communities as the Mussalmans, the Rajputs, the Sikhs, the Mahrattas, and the Domiciled Community.

This system was followed by the Government of Bengal for the recruitment of Anglo-Indians in the Opium Department, and in practice the same system used to be enforced at one time by the Government of India for the recruitment of the same community for the Accounts Department. It is, however, still in force in the Northern India Salt Department.

The limited competition that I suggest may be for such communities together, or for each of such communities separately.

However, as the force of caste is steadily, though still very slowly, diminishing, and as I would like to offer as many incentives as possible to such communities to become independent of artificial protection, I suggest that the proportion of posts reserved for limited competition should periodically be reduced in an automatic manner so that the claims of the future and the present may be reconciled.

I admit that the system as outlined is not so easy to work as an open competition. But no solution of our difficulties is likely to possess the merit of simplicity, for the problem is one of the most complex that have ever cried aloud for a speedy solution. Where else do we find a parallel to the India of to-day, the population of which consists in the main of a people every two of which cannot touch the third, and where such ordinary social relationship as inter-dining and inter-marriage is considered sinful? Where else do we meet with such variety of communal talents, virtues, and failings? Where except in India do the 20th, the 15th, the 10th, and the 5th centuries exist side by side? India is a country of contrasts, and few rules can be made applicable to India generally without doing injustice to a vast number of persons, and even retarding her general progress. The system of an open competition in England and a similar open competition in India, with limited communal competitions in India, appears to me to be the only workable compromise between the injustice of an open competition for service in this country held across 7,000 miles of intervening lands and seas, and the no lesser injustice of holding simultaneously an open competition here which would exclude whole classes and communities—in fact, just those classes and communities that have inherited great administrative talents from a long succession of India's rulers and administrators.

I may explain that I have referred more particularly to the Mussalmans because they constitute the largest of such classes and communities, and not because they need special favours from which other communities suffering from the same disabilities are to be excluded. The great mistake that is made in considering the position of what are known as minorities is that it is assumed that creeds rather than castes and communities require protection. As a matter of fact, the Mussalmans are not a minority, but the largest community in India. But this vast community suffers from the effects of competition for the public service with more forward minorities far less numerous than itself. The Hindus are not one community, but several distinct communities, and many of these suffer like the Mussalmans on account of the self-assertiveness and the intellectual nimbleness of other communities bearing the common label of Hindu, which is not only misleading but also productive of much communal misunderstanding between Hindus and Mussalmans.

47820. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I have already answered this question in my answer to question (5).

47821. (7) What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examnation in India, or by means of separate examnations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I approve of recruitment by means of a separate examination in India, as I have stated in my answer to question (5). But I may add here that in view of the fact that the northern provinces of India are not likely to be able to compete on even terms with the southern, western and eastern provinces, I would suggest that the principle of limited competition should be applied to the northern provinces, and other provinces in like circumstances also, unless separate provincial examinations are held. I would, however, not permanently fix a proportion to be reserved for separate examination. The proportion should automatically increase every three years, and at present I would suggest a commencement with 20 per cent., out of which 12 per cent. should be thrown open to free competition among nominated candidates, and the rest filled by limited competitions, partly among the backward communities, and partly among the backward provinces.

47822. (8) If you do not approve of simultaneous or separate examination in India, are

you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I have already referred to the desirability of representing all classes and communities in the public service and have suggested the method which should be followed to give effect to this principle in my answer to question (5).

47823. (9) If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—"Natives of India" should still be eligible for appointment in England, as it is very necessary to encourage such Indians to go to England as can afford to do so, in order that they may widen their outlook and assimilate the good qualities of the nation to which the majority of their future colleagues belong. If appointment in England was restricted to other natural-born subjects of His Majesty, the proportion of posts to be filled by separate examinations in India would have to be raised to a third of the total number of posts.

47824. (10) Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—The system of selection in India recommended in my answer to question (5) is to be supplementary to the present system of promoting to listed posts officers of the Provincial Civil Service. Actual previous service is by far the best test of administrative ability, and the abolition of a system of promoting to listed posts officers of the Provincial Civil Service would result in the rejection of the most reliable test, while maintaining the Provincial Civil Service as a "pariah service" which is so discouraging to hard and honest work.

47825. (11) Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I would suggest that half the appointments in the Judicial branch of the Indian Civil Service should be reserved partly for barristers called to the Bar not less than 10 years ago who have had in Indian Courts at least 5 years' practice of a sufficiently extensive character to ensure large experience of legal work, and partly for vakils of exceptional merit and large experience. The other half should be reserved for the Indian Civil Service. But unless a Civilian is a barrister, he should not be appointed in the Judicial branch if he has not taken up the law subjects in the open competition and obtained a satisfactory number of marks. Junior Civilians desirous of being appointed to the Judicial branch should be encouraged by a liberal grant of study leave to study for the Bar in England and be called to it.

47826. (12) Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition of the term "Native of India," which covers all persons born and domiciled in India, of parents habitually resident in India, and not established there for temporary purposes only, irrespective of whether such persons are of unmixed Indian descent, of mixed Indian and European descent, or of unmixed European descent. But I would not confine the use of the term for the purposes of eligibility for appointment in the Indian Civil Service to persons born and domiciled within the Dominions of His Majesty in India, and would suggest its extension to "subjects of Native Princes in alliance with His Majesty," as they have already been declared eligible for appointments in the Provincial Civil Service according to a Resolution of the Government of India (Home department) Nos. 1046—1058, dated Simla, the 19th August 1910. The contributions of the Native States to the Empire are far greater than those of the Colonies, and Indian Princes have always acted most generously towards British subjects in India in the matter of State patronage.

47827. (13) If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I would recommend that the age-limit should be not less than 22 and not more than 24 years on the 1st of January in the year in which the open competitive examination is to take place. This would permit a candidate, if he is a European, to take his degree at a British University, and if he is an Indian, both at an Indian and at a British University, before appearing in the open competitive examination. The object I have in view is that nobody should go for a stay of several years to a foreign country until he is actively rather than passively receptive of new ideas. An Englishman coming out to India before the age of 23 is apt to accept the opinions of his seniors in the service already in India without thinking and judging for himself as much as he should, and yet he will not be too old at 25 to acquire an appreciation, or, at least, a tolerance of the changed condition of things in India. An Indian desirous of studying for 3 years in England before appearing for the open competitive examination could still leave for England after having attained his majority and after having taken the degree of B. A. at an Indian University. He would not be too old to accept new ideas, nor yet too young to fall an easy victim to the temptations of a life

without the restraints of home and an extensive social circle.

47828. (14) What in your opinion is the most suitable age at which junior Civilians recruited in England should commence their official duties in India?—The most suitable age at which junior Civilians recruited in England should commence their official duties in India is not less than 25 and not more than 27 years of age. They should, however, arrive in India at an age not less than 23 and not more than 25 if they are Europeans.

47829. (15) What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—If there is no objection on the part of Europeans, they may retain the present age-limits while adding another year to the probationary period. But for Natives of India the present limits are unsuitable for reasons which I have given in my answer to question (13).

47830. (16) What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—While agreeing with the view that the object aimed at in prescribing a syllabus of subjects for the open competitive examination should be to secure not specialists in any particular subjects, but the ordinary well-educated young man of the period, and accepting the principle laid down by Lord Macaulay in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have reason to regret the time and labour which he had spent in preparing himself to be examined," I submit that every candidate desirous of a career in India should study some Oriental language, classical or modern, and acquire an acquaintance with the history, philosophy and literature of the East in general, and of India in particular, and I would therefore suggest the following alterations in the syllabus:—

(*a*) The following subjects should be added to the existing syllabus, and should carry the marks mentioned against each:—

(1)	Persian language and literature,	600 marks.
(2)	Islamic History	500 „
(3)	Indian History	500 „
(4)	Hindu Philosophy	600 „
(5)	Hindu Law	300 „
(6)	Moslem Law	300 „

(*b*) Arabic and Sanskrit languages and literatures should have the maximum number of marks obtainable increased to 1,100 each like Latin and Greek.

(*c*) Of the above subjects every candidate should be required to take at least as many as can give him a maximum number of 1,000 marks.

47831. (17) Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation in the subjects for the open competitive examination in England is desirable between candidates who are Natives of India and other candidates.

47832. (18) Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I do not consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service.

When in 1853 the old system of nomination and patronage was abolished, and the principal civil appointments in India were thrown open for competition in England, it became necessary to devise some remedy, such as that enacted in the Government of India Act of 1870 (30 Vict., c. 3), to make "fitness" in the words of the Court of Directors, "the criterion of eligibility." This had not been accomplished when the Mutiny broke out in 1857. The proclamation of the Queen confirmed the rights conferred on Indians by statute in 1833, and such was the anxiety of the statesmen of those days that a committee of five members of the Secretary of State's Council was soon after appointed to consider the subject. They reported in 1860, but their proposal to hold simultaneous examinations in England and in India was of such a far-reaching character in its consequences, that I do not wonder it was dropped after prolonged correspondence, and the Statute of 1870 was enacted.

But the measure of remarkable breadth and liberality was perhaps the last act of its kind. The Government of India, which have not unoften been partisans of the Anglo-Indian bureaucracy, were, I believe, in the words of Lord Lytton himself, "unable to answer satisfactorily the charge of having taken every means in their power of breaking to the heart the words of promise they had uttered to the ear." It took them nine years to frame rules under which Indians could be admitted to offices that were till then the monopoly of the Covenanted Civil Service.

But even then a liberal policy thrust upon a far from liberal Government in India proved a failure, and birth and social position and a degree of sycophancy went very far towards being "the criteria of eligibility," for the "Statutory Civil Service." In five years the question had to be reopened, and after two years of fruitless discussion the Public Service Commission of 1886 was appointed. The result of that Commission was practically a reversion to the policy of the Government of India in 1878, and instead of devising a scheme, as it was required to do, "which may reasonably be hoped to possess the necessary elements of finality and to do full justice to the claims of Natives of India to higher and more extensive employment in the Public Service," the Commission put back the hands of the clock and established a *corps d'élite* and a "pariah service" side by side.

Even then it was not until the end of 1892 that fresh rules were framed under the Statute of 1870, and the recommendations of the Commission of 1886 carried out. But delay has characterised the Government of India throughout the last 42 years, and the Hon. Mr. (now Sir Archdale) Earle had to confess in the Legislative Council discussion in March 1911, that "listing of posts had not been taken up more vigorously in the past," and that "no systematic enquiry has been made in order to ascertain whether more posts could be listed so as to

gradually work up to the one-sixth proportion as proposed by the Public Service Commission." The Home Secretary admitted that there was a case for enquiry, but denied the need of a Commission. He said that "if the Government of India are left to take action of their own accord much progress might be made within the course of a year." It was doubtful if the unaided action of the Government of India would have sufficed, or even resulted in a speedy, if slight, improvement of the situation. For nearly half a century the benefits intended for the Indians by the Act of 1870 have not been realised, and the Act itself has practically been a dead letter. Apart from any liberal recommendations, the Indian Government were in no hurry to accept and work even upon the recommendations of the Commission of 1886, and they have a series of Second Chambers, so far as their function of delaying liberal measures is concerned, in the Governments of the provinces.

The result is that at present there is a Civil Service to which only an insignificant minority of Indians, not exceeding 5 per cent. of the entire Indian Civil Service, has access through a competition miscalled "Open." And there is the "pariah service" for the provinces, to the disabilities of which I shall refer elsewhere, which constitutes, according to Lord Curzon, an example of unexampled liberality. Between these two services there are 92 officers holding, in accordance with the rules framed under the Act of 1870, posts ordinarily held by members of the Indian Civil Service. Of these 21 are officers recruited according to rules framed in 1879, and 71 belong to the Provincial Civil Service.

Illiberal as the recommendations of the Commission of 1886 were rightly considered to be, even they had included the reservation for Indians of a Membership of the Board of Revenue or Financial Commissionership where such posts existed, one Commissionership in all provinces except Assam and Bombay, the Under Secretaryships to all Governments, and a third of the District and Sessions Judgeships. But these recommendations were not accepted, except so far that one Under Secretaryship in each province and one-sixth of District and Sessions Judgeships were allowed, and the recommendation of the Commission to reserve 108 appointments for Indians was accepted only to the extent of 93 posts, which were raised by subsequent additions to 102.

The worst of it is that even these have not yet been given to Indians. There are no Indian Under Secretaries to Government in any province except Madras, and out of the 102 posts set apart for Indians only 92 are held by them in spite of the lapse of 20 years. But this is not all. Not only are ten appointments then listed as open to the Provincial Civil Service still held by Indian Civilians, but the revision of the list has never been undertaken. If even the pledges of 1879 were carried out, and a sixth of the posts ordinarily held by Indian Civilians were given to Indians, there would have been 165 Indians holding such places instead of only 92. After more than a generation, in which Indians have admittedly made great strides in education, not only is there no improvement in the prospects held out to them 34 years ago, but the pledges of 1879 have been redeemed only to the extent of 55 per cent. Had the Government redeemed those pledges fully, there would still have been sufficient justification for a demand that the meagre proportion of a sixth should be raised to at least a fourth. But with the glaring contrast between promise and fulfilment which the figures now show, the Government cannot hope to remove the discontent by adding 63 posts to the list, and filling them and the ten of the old list still left unfilled, by the appointment of Indians of proved merit and ability. A definite policy must be laid down for the future, and the rules should be framed afresh to ensure that it is automatically carried out.

The Court of Directors, in forwarding a copy of the Act of 1833 to India, had clearly shown the intention of Great Britain that "there shall be no governing caste in British India." Yet the illiberal policy of the Anglo-Indian bureaucracy, and the recommendations of the Commission of 1886, have created and confirmed such a caste, and, while the Indian Civil Service constitutes the most powerful regenerate caste of India, analogous to the Brahmans in the Hindu hierarchy, the Provincial Civil Service has become in spirit and status something like the depressed classes. With few chances of promotion from the latter to the former, the lower service has lost hope, independence and initiative, while the higher service has developed a *hauteur* and an intolerance of those below it. The result of this is that even the 71 men of all the provinces of India who have been selected by the men in the higher service to fill the listed posts are in many cases selected chiefly because they have successfully adapted themselves to the environment of pride and intolerance, rather than because they are like their European colleagues in independence and initiative and a sense of responsibility, men who demand confidence as the price of co-operation and claim a fraternal feeling in return for loyalty to the European members of their service.

With Indians of the latter type in every district, whether as Deputy Collectors, Assistant Collectors, or Collectors, there is no chance for sedition. The Civilians, whose authorities in the niceties of Oriental language are the bearer and the syce, and whose time when not occupied with files is spent in making up with much persuasion and resourcefulness a four at Bridge at the Club of his *confrères*, cannot fathom the depths of the Indian mind and correctly gauge the merits of his Indian fellow-subjects and subordinates, nor can he analyse discontent and unearth sedition. But the Indian who has worked his way up from the ranks not only knows the ways of his subordinates and fellow-countrymen, but could tell to a nicety who is discontented and why, and what real influence he possesses in the district. The reason is simple. He is one of the people himself, and nothing can escape him in his daily intercourse with the people not only as an officer, but also as friend and sometimes as a relative. If he is on the one hand, bound to the people, he is, on the other, part and parcel of the Government.

He cannot, therefore, fail to imbibe the *esprit de corps* of his service. His, indeed, is the largest stake in the administration. His whole existence is bound up with the Government. If he deprives the Europeans of some of their loaves and fishes, he at the same time begins to take a keener personal interest in the continuance of their rule. And just as his discontent to-day infects others not in the Public Service, his contentment also will reflect itself in the views of those with whom he associates.

A writer from Simla wrote to a London daily paper when the Reform Scheme was being worked out in its earlier stages in 1907, that "to admit the Asiatic otherwise than in the comparatively subordinate, though also extremely numerous and often well-paid positions he already occupies, is to dilute efficiency with a stream that will force ever wider a once-open penstock, until an overwhelming flood sweeps in." The *Spectator* told us about the same time that "the whites claim—and have for a century exacted—the position of an aristocracy among races of other colours. The white man in an Asiatic State never accepts any other position than that of first, and that by right, not of his creed, not even of his knowledge, but of some inherent and—as it were—divinely granted superiority. He never consents to any lower position and is in fact unable to think of himself in any other."

The claims of the white man met with a tremendous shock in the victories of Japan, and even Lord Curzon suggested two years ago the advisability of a revision of Western formulæ about the East. It is, at any rate, certain that the Act of 1833 and the Proclamation of 1858 knew of no such "inherent and—as it were—divinely granted superiority." We would any day prefer to worship a block of stone rough hewn by our own hands rather than believe in a Divine Being who could be so cruel as to place a perpetual ban on the major portion of the world He had Himself created. But when the mundane doctrine of efficiency comes to the rescue of an iniquitous Providence, it has to be pointed out that efficiency and sedition seldom go together. It is with a view to secure efficiency—that virtue of an administration which has more to answer for than all the sins of commission and omission—that Indians plead for the dilution of the stagnant water of the Indian Civil Service. Let there be fluidity in the place of the present-day stagnation by allowing free scope to the talents of the Provincial Service and freedom of confidence between the two branches of the Administration, and we shall have more efficiency than is illustrated to-day by the existence of undetected, if not unchecked, terrorism in the land. But if even the attitude of the Hon. the Home Secretary and the Government for which he spoke on the 17th March, 1911, are to be regarded as due to "a mistaken sense of courtesy" which "hesitates to produce"—possibly to manufacture—"the kind of evidence that will be convincing" on the score of Indian inefficiency, and if the Acts of 1833 and 1870, and the Proclamation of 1858 are only "liberal sentiments expressed by statesmen in an idealistic mood," as the *Englishman* believed them to be, we may well despair of rooting out these guilty conspiracies from our country. Not by men of such views was the Empire built, nor by such could it be consolidated. 2nd ICS

I would, therefore, strongly urge that there should be no reservation of any kind for any post, if it is to be based not on merit as proved by actual service, but arranged by reference to the particular door through which a man entered service. The Indian Civil Service Act of 1861 demolished the fetish of seniority which had been created by 33 George III., cap. 52. The fetish of a *corps d'élite* has yet to be demolished before it can be said that merit and merit alone is the criterion of eligibility for a post.

It is only natural that men who have entered the service after a keen competition in a severer intellectual test should ordinarily possess more merit than others. But when the results of actual administration prove an individual to be more capable than another, although his earlier education was not as advanced, nor the examination which he had to pass so severe, it is only right and just and in every way expedient that he should be promoted to the highest available office which he deserves, irrespective of the service, Indian or Provincial, to which he may belong.

47833. (19) Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I am opposed to the fixing of a minimum proportion of European subjects of His Majesty to be employed in the higher posts of the civil administration. The system which I have suggested in answer to question (5) makes sufficient provision for the needs of the present, when it is necessary to have a preponderance of the British element in the higher posts.

47834. (20) Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I have already answered this question in my answers to questions (2), (5) and (18) and shall refer to the matter again in my answer to question (24).

47835. (21) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I am opposed to the revival of the old system of appointment of "Statutory Civilians" under the statute of 1870. But it should, I think, be permitted to the Governor General in Council and the Local Governments to appoint anyone who is not a member of the Covenanted Civil Service nor of the Provincial Service to posts ordinarily held by Indian Civilians, provided the person so appointed possesses unusual merits, and provided the number of such appointments does not at any time exceed 5 per cent. of the posts ordinarily held by Indian Civilians.

47836. (22) If the system of recruiting military

officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I am opposed to recruiting military officers in India for posts in the Indian Civil Service cadre because the civil administration of the country has now become much too complex for them, and the early training of military officers and their intellectual attainments do not, as a rule, give promise of successful civil administration. As regards men of exceptional merits, I have already suggested in my answer to question (21) a method whereby they could be recruited. I do not ignore the fact that certain districts in India, such as those in the frontier provinces, require men of a somewhat different type to those required elsewhere. But the ranks of the Indian Civil Service and the Provincial Civil Service include many such officers, and if such men are selected to administer frontier and similar districts, the purpose of Government would be served without the evil of placing the more educated men of such districts under the rule of intellectually less qualified administrators who have a rough and ready code of their own manufacture for every emergency, irrespective of the demands of Law and the needs of civilized administration. We have to establish in India, even in frontier districts, what Professor Dicey calls a Reign of Law, and this cannot be done through the agency of men who have never received any education in Law, nor have acquired respect even for executive rules.

47837. (23) Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—My answer to question (21) covers both military officers and others.

47838. (24) What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I am not in favour of the system by which certain posts ordinarily held by members of the Indian Civil Service are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed. Instead of the inferior posts being listed in the main, the members of the Provincial Civil Service should be entitled to a quarter of all the posts in every class and grade.

I have dealt with the evil consequences of the system fully in my answer to question (18). I may, however, state here that efforts should be made to select the men before they have passed the age-limit of 35, so that the men thus selected may get familiar with responsibility and initiative at an age at which they are still receptive of new ideas and capable of developing initiative and a sense of responsibility. It is of little use to appoint to these posts men who have lost all initiative, and have acquired the habit of looking up to others for guidance in every emergency, and a disposition to take refuge in the letter of the law and of the circulars of senior officers rather than the spirit thereof. I have already referred to the criterion, consciously or subconsciously adopted by the Indian Civilians, in judging the merits of the members of the Provincial Civil Service for appointment to the listed posts. But that is not the only drawback to the success of the system. Continued service in the lower ranks makes quite a number of those promoted to the higher ranks subservient even to those over whom they are placed. Many of these men are not only afraid of their colleagues of the Indian Civil Service, but also of Superintendents of Police, School Inspectors and Engineers who are of European extraction and who have been successfully extorting in the earlier career of the men promoted to listed posts the tribute of subservience and tame acquiescence in all that emanated from European officers.

It must be remembered that Indians who have taken to the profession of Law and have acquired considerable success therein in the best of all competitions, namely, the actual work of their profession, have not always been the pick of our universities. For a long time the best men throughout India preferred service under Government to competition in the legal profession: and in Northern India, at least, the best men are still inclined to become candidates for the Provincial Services. But the pendulum has begun to swing in the opposite direction throughout the country; and even in Northern India the ablest men do not hanker after Government service as they used to do. From one point of view, this may be as it should be. But from another point of view, it is desirable for a country, in the state of development in which India is at present, to employ its best talent in the service of the State, and unless better prospects of salary, social position and influence are held out by the Provincial Services, a time would soon come when the whole machinery of administration would get clogged on account of too numerous defective pieces, and no amount of increased emoluments to members of the Indian Civil Service, and no amount of practicable increase in its cadre, would make it fit for work. British Indian administration is already top-heavy, and further deterioration in the lower ranks would spell disaster.

47839. (25) Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—I do not know to what extent the present rule which prescribes that Natives of India other than members of the Provincial Civil Service or Statutory Civilians may be appointed to one-quarter of the listed posts is acted upon. I conjecture that the rules published in a Notification of the Government of India (Home Department) No. 1128, dated Simla, the 26th August 1910, were framed in order to permit Indians of special merit and ability to be appointed to some of the higher posts in the country without having to go through the drudgery of the Provincial Civil Service, and it appears to me that this was a laudable intention. But it would have been more generous if this laudable intention had not been given effect to at the expense of an already

depressed Service. I would, therefore, suggest that whatever proportion of posts ordinarily held by members of the Indian Civil Service is thrown open to members of the Provincial Civil Service, it should be their special perquisite, and not shared by them with other Natives of India. In answer to question (22) I have suggested that five per cent. of the posts ordinarily held by Indian Civilians should be open for the appointment of those who belong neither to the Indian Civil Service nor to the Provincial Civil Service, and if half of these are reserved for Natives of India the purpose of the above-mentioned notification can well be served.

47840. (26) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Neither the Provincial Civil Service, nor the public interested in this question, is satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service. The system serves the purpose of degrading the inferior listed posts rather than of raising the status of the members of the Provincial Civil Service.

47841. (27) Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—The class of listed posts is unsuitable. A glance at the posts listed in the different provinces, and particularly at the listed posts now held by members of the Provincial Civil Service, would show that it is only very inferior posts to which members of the Provincial Civil Service are appointed. The proportion should be 25 per cent., and it should be worked up to within the next ten years, commencing with one-sixth, or 16⅔ per cent., immediately. Posts thus filled should be one-sixth of every class of appointments to begin with, and one-fourth within the next 10 years, and not a sixth of the most inferior posts.

47842. (29) Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service.

47843. (30) If so, how long, in your opinion, should this period be and what course of study should be prescribed for the probationers?—The period of probation should be two years. Naturally, Laws enforced by British Indian courts, the Land-Revenue system and tenures of India, and the vernacular of the province to which a selected candidate is assigned, should form the chief subjects of study. Candidates should also be tested in a knowledge of some Indian classical language or Persian, and Indian History and Hindu Philosophy. Option should also be given to make it possible for a European selected candidate to study an outline of the history and doctrines of different Indian creeds, so that the future administrator may have a valuable previous acquaintance with the spiritual ideas of the people of this country, and may not, at least, lack subjects of conversation for an intimate intercourse with them as he does at present.

But, above all, means should be devised, in consultation with Indians, for giving to the European probationer an insight into the practical working of the Indian mind by constant intercourse with men of different communities. At present the theoretical basis of instruction in Eastern lore is itself not sufficiently extensive or profound; but even when a certain amount of theoretical knowledge has been acquired for the Open Competition, after the syllabus has been altered according to my suggestions, and along with a deeper and more extensive study during the period of probation, practical intercourse of a sufficiently intimate, extensive and disinterested character is necessary. It is generally complained by European members of the Service that on account of overwork and the demand for a thousand and one reports and returns they are unable to afford time for social intercourse with Indians. I am not disposed to attach as much importance to this argument as the European members of the Indian Civil Service wish to be attached to it; but I admit that even on the few occasions on which they meet Indians they are apt to give offence to them unintentionally on account of their ignorance of Indian languages and Indian manners and customs and modes of thought. This would not be the case if the European probationers received a thorough practical training by actual social intercourse as well as a theoretical instruction in Indian literature and philosophy, and the main doctrines and significance of the rites and festivals of Indian creeds. Of course I presuppose that the European probationers would pass their period of probation in India and not in England.

47844. (31) Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Some differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty. The subjects prescribed for Indians should be more Western in content, although the course of study in Law and Indian Land-Revenue systems and tenures will have to be the same.

I suggest that a special course of studies in Eastern lore, which I have outlined in answer to question (30), should be provided at Indian universities for European probationers of the provinces served by each university.

In addition to this, an Indian officer who has passed some years in England, or a European officer specially popular with the Indians, should be appointed to act as a supervisor of the European probationers' studies in each province, and he should be given sufficient latitude to arrange for the practical training to which I have referred. Although such a training does not lend itself to any test other than that of public opinion, I am confident that the class of men who pass into the Indian Civil Service will not, except in rare cases, be guilty of conduct such as that of which complaints are now so often heard if they undergo such training and come in contact early in life with Indians of the right stamp in intimate and disinterested social

intercourse. The few that are incorrigible should be reported against, and if the Local Government is satisfied with the truth of the complaint, they should be sent back to Europe. India is no place for them, and any trouble caused to them by this belated discovery would not be too much punishment for their selection of India as their place of work without ascertaining whether they possessed sufficient sympathy with the country and its people.

47845. (32) Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I have already stated in my answer to previous questions that I would suggest a two years' probation in India for European selected candidates. But Indian selected candidates, if selected by the open competition in England, should be required to stay at least for one year in England. If, however, they have been selected in India by a separate competition in this country, they should be required to spend two years at the University of Oxford or Cambridge, and encouraged both by Government and by the University authorities to take a degree at either of these universities.

47846. (33) Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—I do not think it desirable to start a college at some one place in India for the training of all the probationers of the Indian Civil Service and possibly of all other Indian services recruited in England. In the first place, the vernaculars of different provinces are different, and, similarly, customs and habits and manners also differ to some extent in different provinces. Under these circumstances whatever arrangement has to be made should be made separately for each province, as it is necessary to keep probationers during the probationary period in the same environments in which they will subsequently have to work. In the second place there is already a sufficiently strong *esprit de corps* in the Service, and, if the probationers are kept together in India in large numbers, there is a danger of the development of a caste feeling which we should seek to destroy. As the universities are more or less provincial, if a considerable portion of the period of probationers is spent at the universities, the contact with the province to which a probationer is assigned would be maintained, and yet there will not be so many of his *confrères* living together as to develop in him a self-sufficiency and a disposition to avoid outside company.

47847. (34) Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Provincial Governments should separately arrange for the training of their probationers, partly at the universities, and partly otherwise, under the supervision of suitable officers.

47848. (35) Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present arrangements for the training of junior officers of the Indian Civil Service, after they have taken up their appointments in India, can, with advantage, be improved upon in the following manner. In every province there are a number of Civilians whose popularity with Indians is as great as the efficiency of their administration. As a rule, such men should be placed in districts where the head-quarters are located in populous towns, and junior Civilians should be placed under them in order to get the benefit of their advice and the stimulus of their example. They would at the same time have an opportunity of coming across a number of well-educated Indians who would be able to impress them with the high character of Indian gentlemen so that they would not be liable to acquire at the threshold of their career in India a distaste for Indian society and certain general notions about Indian character highly insulting to India and productive of an unfortunate misunderstanding that may persist through life. These are years of comparative leisure, and, if the junior Civilians are able to form a correct estimate of Indian character when they have time to study it, subsequent experience in backward districts, where well-educated Indians cannot always be found in sufficient numbers, is not likely to mislead them.

47849. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—For a man of my age it is not possible to compare the proficiency of the members of the Indian Civil Service in the knowledge of the Indian languages now with their proficiency 20 or 30 years ago. But I am fully convinced that their knowledge of Indian languages at present is almost as bad as it well could be. It is very seldom that one comes across an Indian Civilian of European extraction who can talk or write even a few ordinary sentences in any Indian language with grammatic correctness and in idiomatic style. I have known several Indian Civilians, including members of the Executive Council of His Excellency the Viceroy, noted for the comparative intimacy of their social intercourse with Indian gentlemen, who cannot sustain a conversation in polite Indian society even for a quarter of an hour in the language of the province in which they have spent sometimes as many as eighteen or twenty years. Such want of proficiency not only makes them averse to meeting Indians in private life wherein they could learn much that is invaluable to them in the discharge of their public duties, but also makes them to a very considerable extent dependent upon their low-paid clerks, who abuse their confidence and involve them and the whole Service and the British race in India in much avoidable and undeserved odium. When they do not depend upon these clerks

they are led into many an error, particularly in magisterial work.

This is indeed a very serious defect, and I attach, I hope not unduly, a very great deal of importance to the matter. To my mind if there has been any deterioration in the knowledge of the Indian languages possessed by the members of the Indian Civil Service such as that to which many old Indians bear testimony, it must be due to the following causes. In the first place, the facility of travel to Europe deprives India of the chance of improving the knowledge of the vernaculars of her European Civilians through leisurely travels in the country itself. Someone has aptly said that the Suez Canal has separated Asia from Europe. In the second place, a new spirit of arrogance is abroad in Europe, and there is a distaste among Europeans for intimate social intercourse with Asiatics, whom they look upon as inherently and permanently inferior to themselves. In the third place, the establishment of the ruling caste due to the gulf created between the Indian Civil Service and the Provincial Civil Service comes in the way of the desire of European, to learn something by associating with their Indian colleagues and subordinates.

The scheme which I have suggested for the recruitment of the Indian Civil Service and the promotion of members of the Provincial Civil Service to whatever posts they may be fit for out of those hitherto held, as a rule, by members of the Indian Civil Service, would demolish the caste system in the bureaucracy, and the growth of respect for capable Indian colleagues and subordinates would create in Europeans a desire for learning their languages and the literature therein. Again, a change in the syllabus for the open competitive examination, which would make the acquisition of a certain amount of knowledge of Eastern lore and languages compulsory, would to a considerable extent remove the present defect. Similarly, a probationership of two years spent in India before the commencement of actual service, and the training under popular heads of districts in large Indian towns, would also be most helpful.

Although it has been stated in the report of the Treasury Committee appointed to consider the organization of Oriental studies in London (1909), that the preliminary training in Oriental languages can be given better in Englandthan in India, I submit that this view of the Committee is not correct. The difficulties I myself experienced in continuing my Arabic studies in England were so considerable, and the knowledge of at least one Indian language possessed by the Oxford Reader or Lecturer of that language who taught it to the probationers was to my knowledge so meagre, that I am astonished at the view taken by the Treasury Committee. If it is not an impertinence, I may add that Englishmen are not good linguists, and much of this defect is due to their self-consciousness and a disposition to avoid appearing foolish. Even in foreign countries they often keep too much together and fail to learn much which people of other nations can easily learn in their travels abroad. If the probationary period of European Civilians is spent in England in acquiring a knowledge of Eastern languages, I have no hope whatever of their being able to improve their knowledge of the Indian languages, and in fact of anything important connected with the East.

In addition to the various methods I have suggested, I would recommend that instead of European Civilians or military officers being appointed as examiners in Oriental languages for the Lower and the Higher Standard and the Proficiency Test in Eastern languages, and being assisted by Indian "Munshis," Indian gentlemen of independent position and character should be appointed examiners, and in conversational tests a sort of jury of Indians should assist the examiners. The rewards offered for success in these examinations do not seem to be inconsiderable, but something more than that is necessary. Promotions to higher grades, and particularly to the charge of a district, should also depend in some measure on adequate proficiency in the knowledge of the language of the province.

47850. (37) Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of Law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—I have already referred in passing in my answer to question (11) to steps which should be taken to improve the knowledge of Law of the members of the Indian Civil Service selected for the Judicial branch. But a certain amount of previous judicial training is necessary for all members of the Indian Civil Service, and it would not be inadvisable to require all probationers to spend part of their probationary period in England in order to attend Law courts in England and reporting cases. A call to the Bar should be encouraged, and study leave should be liberally given. But even during the period of probation spent in India it would not be amiss if the probationers were sent for a few months to one or two High Courts, such as Calcutta, Bombay, and Madras, to report cases. Similarly, one or two district courts, magisterial and judicial, should be selected for the same purpose. If six months of the probationary period are spent in this way, sufficient acquaintance with the procedure of courts and with the manner of notable Judges and Magistrates, when dealing with cases, can be acquired.

47851. (38) Do you recommend any special course of study in Law in India for officers selected for the Judicial branch?—Members of the Indian Civil Service intended to be transferred to the Judicial branch could, with advantage, be sent to work as clerks of the court or judgment-writers in the High Courts for a period of three months when they are about to be transferred to the Judicial branch, which should be after 7 to 10 years of district work. Another three months could usefully be spent in sitting with District Judges and experienced Subordinate Judges and Munsifs without constituting a Bench for the disposal of cases.

47852. (39) Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—I would recommend that a period of six months should be spent by every

officer selected for the Judicial branch in working as a Munsif or Subordinate Judge, according to the report of the High Court and the District Judge where such officer had worked previously with a view to receive a training in Judicial work.

47853. (40) Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think any differentiation is necessary in the system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty. I have recommended that junior Civilians should be placed under officers noted for their popularity as well as efficiency in work. But it will be preferable to place the Natives of India, to begin with, under seniors of their own community, so that they may receive every consideration, and the District Officer under whom they may be placed may take a special interest in their progress.

47854. (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—I have already stated that Natives of India recruited in India should spend their period of probation in England at Oxford or Cambridge and should be encouraged to take a degree. They could acquire a knowledge of the subjects prescribed for their final examination in England as they do at present, and they should be required, during part of the period of probation, at least partly in the University vacations, to attend law courts and report cases, and even encouraged to get called to the Bar or read in Barrister's chambers. The India Office should assist them in seeing a good deal of the different phases of English life, though much assistance will not be required by Indian probationers who have acquired esteem and popularity in their colleges at Oxford or Cambridge. Part of the period of probation should be spent in India in attending High Courts and District Magistrates' and District Judges' courts. As a matter of fact their judicial training would be the same as that of Civilians recruited in England, but instead of acquiring a knowledge of the Indian customs and manners and Indian languages in Indian University towns and elsewhere in India, they would acquire a knowledge of English manners and customs at English University towns and elsewhere in England.

47855. (42) Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—As the term Native of India includes those also who are of unmixed European descent or of mixed European and Indian descent those of them who fall under these categories, should be required to spend half the period of probation in England and half in India, as at present they are not, as a rule, sufficiently acquainted with either country. In exceptional cases Local Governments could permit them to spend the whole period of probation in either country. The course of study for them should, however, be more Eastern than Western.

47856. (43) Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions?—I have no remarks to add to my answers to the foregoing question on the subject of probation and training of members of the Indian Civil Service.

47857. (44) Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views. The main principle governing the numbers, grades, and salaries in any service must always be that the interests of the Administration rather than the interests of the administrators must be safeguarded, though it should at the same time be borne in mind that "a contented workman does more work." But there is a strong suspicion that the Indian Civil Service is designed not so much with a view to provide for the needs of the Administration as for the needs of the European administrators.

I understand that a certain number of posts, called technically "superior," carrying a salary of over Rs. 1,000 *per mensem* is fixed, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade but not exceeding Rs. 1,000 *per mensem*.

I do not know on what principle the necessary number of "superior posts" is ascertained, and whether it is arbitrarily arrived at or not. But it is certain that in the calculations of Government the number of "inferior posts" is reckoned at 39 per cent. of the number of "superior posts."

Now this proves conclusively that at least the number of "inferior posts" is ascertained not by a reference to the actual needs of the Administration, but by a reference to the needs of the administrators themselves. And if the "superior posts" were subjected to a careful scrutiny, such as was promised by Government in 1911, a similar conclusion is likely to find considerable justification.

In spite of all the elaborate calculations of Government, complaints are every now and then heard from different provinces of a block in promotion, because the annual decremental rate, with all its apparent mathematical precision, occasionally proves to be nothing better than a "gamble in retirement." It may, however, be added that if the "gamble" results in a bumper crop of pensions, it is apparently nobody's business to complain of a better harvest of promotions than had originally been estimated.

It seems to me that it would be better to ascertain the number of posts for all grades, and not only of "superior posts," by a reference to the needs of the Administration, which must be equally paramount for all grades. When this has been done, a time-scale of promotion should be fixed for a few sufficiently distinct grades, such for instance as Assistant Collectors, Collectors, and Commissioners. This should be able to reconcile the interests of the individual administrators with the interest of the Administration itself. Within the grade every officer should receive his increment from time to time, unless it is stopped as a punishment. The promotion to a higher grade should, however, depend upon a vacancy and the fitness of the individual officer for a post involving higher responsibility. Acting allowances would also depend in that case upon the character of the work to be done by the officiating officer when the permanent incumbent of a post is on leave or on deputation; and no acting allowances would be permissible within the grade itself. The need for a quinquennial examination of the conditions of service—surely a sign of unique solicitude even if it is meant to be undertaken in the interests of the Administration itself—would disappear, and a ten or even fifteen years' interval between such examinations would then result in no great injury to the Administration.

A glance at the figures of "superior posts" and "inferior posts" would show that the Indian Administration is inordinately top-heavy. No less than 690 "superior posts" were sanctioned on the 1st July, 1912, while the sanctioned "inferior posts" were no more than 269, and the regulation percentage of the latter is 39. A leave reserve of 40 per cent., and a training reserve of 15·5 per cent., bring up these posts to 651, or 94·5 per cent. of the "superior posts."

Another glance at the figures of different grades is no less instructive. In Madras, for instance, out of a total number of 27 appointments of Collectors, no less than 21, or 77·8 per cent., are at present in the grades drawing Rs. 2,250 and over. Similarly, out of 22 District and Sessions Judges, as many as 16, or 72·7, are in the grades of Rs. 2,250 and over. In no province is the percentage of these grades lower than 23·5 and 28·6, respectively. It is only in the grades of Joint Magistrates and Assistant Collectors that the percentage in the highest grades (Rs. 900 to Rs. 1,500) is at all reasonable.

But if we turn to the Provincial Civil Service, we find that the first three grades of Deputy Collectors (Rs. 800, Rs. 750, and Rs. 600) show a percentage of less than 2, 3, and 6 respectively, while the next four grades almost equally share the balance of 89 per cent. The Subordinate Judges and Munsifs hardly fare any better. But we do not know if anything like a quinquennial examination of the conditions of the Provincial Civil Service takes place; while it is manifest that in the case of this "pariah service," it is the number of the "inferior posts" that is ascertained so as to constitute a basis for recruitment, and the "superior posts"—such as they are—form a dole grudgingly given and seldom counted upon by the recipients when entering the Service, except as a piece of sheer good luck of the nature of a winning ticket in the Derby Sweep.

Whatever the proportion of emoluments to be fixed for the two Services, the main general principles regulating the conditions of service should be the same; and while the Provincial Civil Service deserves a substantial increase in the numbers in the higher grades, there is ample room for reduction in the "superior posts" in the Indian Civil Service. Without more intimate knowledge of the administrative needs of different provinces it is not possible to cut and clip; but the difficulty is that the very men who are at present supposed to possess this intimate knowledge are the men who are not likely to do the cutting and clipping, unless the ordinary normal self-love of human beings is presumed to have evaporated in the Indian sun. It may not, however, be a bad plan to consult the District Officers as regards the economies that could be effected in the Secretariats, and the Secretaries as regards the pruning that is possible in District establishments. But this is clearly a matter for the Commission itself, and I cannot presume to suggest ways and means.

47858. (45) Do you consider that the exchange compensation allowance, introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—With the establishment of a gold standard, which is likely to be followed in the near future by the establishment of a gold currency, there appears to be no reason to continue the exchange compensation allowance. I hesitate to express any opinion on the subject of the abolition being applied to officers already employed, because I do not know under what conditions they entered Service. But clearly no one who enters Service to-day can reasonably claim to convert a rupee into 1*s.* 6*d.* for remitting to, or receiving as leave allowance in, England, when for the last ten years a rupee has been exchanged at 1*s.* 4*d.* It seems unreasonable to bind the country down to the exact rate of exchange of a generation ago as if that was part of some Shylock's bond. The rise in prices in India has been no less considerable than the difference in exchange, but similar solicitude has not to our knowledge been shown for services for which recruitment is done in India on the ground of reasonable expectations of entrants into those Services. The lesser evil would be to take into consideration the conditions of to-day and fix emoluments for all public servants by reference to them, on the distinct understanding that changes dictated in the future by the same conditions would have to be accepted without demur whichever way they may cut.

47859. (47) Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangements by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for various grades of the service?—Similar work must be similarly paid for, and lower rates of salary have a distinct tendency to lower the status of those who draw salaries at

those rates. Indians would have no reasonable ground for complaint if the rates of salary for different grades of the Indian Civil Service were revised and lowered. It is true that the European standard of living is, as a rule, higher than the Indian. But in the first place, unless the incomes of Indians increase, the Indian standard of living cannot grow higher, and Indian civilization so far as it depends upon a higher standard of living, is likely to remain dwarfed and stunted. In the next place, many Indians holding listed posts have to educate their sons in Europe and require no less money for it than Europeans. Lastly, an Indian is not an isolated unit in society like a European, and the joint family system entails expenditure on poor relations often in excess of all the new taxes and rates levied by the present Chancellor of the Exchequer, and the cost of social amenities among Europeans in India. A lower general level of salaries would commend itself much more to Indians holding listed posts than the present system of giving them two-thirds of the wages of their labour at the market rate.

47860. (48) Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—I have no direct knowledge of leave rules applicable to members of the Indian Civil Service, but I would suggest that the tendency towards the spending of short leaves in England should be checked. Fifty years of Europe may be better than a cycle of Cathay, but six weeks spent in steamers and trains in order to have a somewhat extended week-end in England can be better employed in a more leisurely travel in India herself to the mutual advantage of India and England.

47861. (49) Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Service holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I have no direct knowledge of leave rules applicable to Statutory Civilians and to the members of the Provincial Civil Service holding listed posts. It is not essential that these rules should be the same as those applicable to members of the Indian Civil Service. But I would suggest that encouragement should be offered to the members of the Provincial Civil Service holding listed posts to visit Europe for a period of at least six months as soon as practicable after their appointment to a listed post, so that a wider outlook and a knowledge of the ways of the nation to which the majority of their colleagues belongs may be gained.

47862. (50) Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.—I looked in vain for an opportunity to offer some remarks on what I consider a very important aspect of the question, but could discover no specific question in answer to which I could say what I wish to say now, and am, therefore, compelled to express my views on the subject in answer to this question.

The Indian Civil Service includes at present, to the extent of about 5 per cent. of its total strength, Indians who have entered the Service after having successfully competed with Europeans in the open competitive examination held in England. These men are either as competent as the European members of the Service or they are not. If the latter is true—and, to some extent, I fear it is true—then it clearly illustrates that a system of recruitment through an examination which merely tests intellectual qualifications is not suitable for the inhabitants of this country who differ widely in their characteristic virtues and failings. But I am convinced that there is a fair number of Indians in the Service who are in every way as qualified to discharge the multifarious duties of their office as the best European.

However, I fear it is only too true that they are given insufficient opportunities of distinguishing themselves, and the prize posts in the Service are, as a rule, withheld from them. So far as I know, no Indian has ever been permanently posted as a Commissioner of a division, and the Secretariat is entirely the monopoly, so to speak, of an inner circle of the Service which is composed of Europeans only.

European members of the Indian Civil Service who are junior to Indian members do not like to serve under them in the districts, and the Commission can satisfy itself on this point by calling for a return of leaves and transfers applied for by the European junior members of the Service shortly after the appointment of an Indian as head of the district. It sometimes happens that a more self-respecting and independent Indian member of the Service ceases to become a *persona grata* to his European seniors and superiors, and the sword of Damocles is kept hanging over his head in the shape of a reversion or a transfer against his will to the Judicial branch of the Service. Executive appointments are generally withheld from the Indian members, and, although the *esprit de corps* of the Service is so inordinately strong that it has become a very intense and narrow caste feeling, the Indian members of the Service are excluded from its benefits, and they are made to understand in many ways that they are there practically on sufferance, and are in fact "undesirable aliens."

I know of several men of as great capacity as any European in the Service, whom I have known intimately in England, where we were in some cases fellow students, who have been disillusioned quite early in their official career, and have confessed to me that, if they had to live their life over again, they would never think of joining the Service, and have actually congratulated me on my failure to enter it.

This is in every way highly undesirable, and if more Indians enter the Service and yet this attitude of their European colleagues and superior officers continues, the administration of the country is bound to suffer through the growing discontent of the Indian members of the Service, and cliques and camarillas would be formed to the detriment of the Service, the general administration, and the progress of the country.

I am convinced that the state of affairs is very serious, and I trust that the Commission would recommend that the Government of India would hold an enquiry every five years into the then

existing conditions and prospects of the Indian members of the Civil Service.

I am averse to reserving any posts for any class of public servants on the basis of domicile and nationality; but, if the present situation could not otherwise be altered, it would be necessary to choose as the lesser of two evils the method of reserving a proportionate share of all the grades and classes of posts for the Indian members of the Civil Service.

Recently several appointments of Indians have been made in the Executive Councils in India; but they have, as a rule, gone to Indian lawyers. Without questioning the fitness of the men selected, I must say that it seems strange that in no province could an Indian member of the Indian Civil Service be found worthy of these posts. As I have said elsewhere, as a rule, the pick of our Universities have hitherto preferred service under Government to independent professions. And if such Indians as have sought success by entering the world through wider avenues, and after less severe intellectual competition, have proved their fitness for the highest appointments in the public service, it does not stand to reason that the more intellectual classes of Indians, who entered the world through a narrower doorway, and after a more severe intellectual competition, should be less qualified for such posts.

The servants of Government are entitled to no less consideration than members of independent professions; and, if the idea gets abroad that the more assertive community of lawyers is likely to receive more favourable consideration of its claims, I foresee dangerous possibilities in the situation. It is not to the advantage of the country, nor of the Administration, nor of the Indian Civil Service itself, that such suspicions should grow and become confirmed, and I hope that the Commission would draw the attention of Government to a matter of such seriousness, and press for a speedy improvement in the conditions of service of the Indian members of the Civil Service.

Written answers relating to the Provincial Civil Service.

47863. (51) Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration? The general conditions which should govern recruitment to the Provincial Civil Service laid down by the Government of India in their resolution (Home department) nos. 1046-1058, dated 19th August 1910, are suitable so far as they go. But it should be laid down that "due representation in the public service of the different classes of the community" can be secured not by reference to the proportion of graduates in any community, but by a reference to its numbers. So long as qualified men are available in the community of which the due proportion according to its population is not represented in the Service, no appointment of other than members of such a community should be made till the due proportion from among the qualified members of the community has been appointed. A minimum qualification, such as the degree of B.A. or M.A., should be fixed, and those who possess that qualification should have a right of appointment, if they are otherwise qualified, so long as the community is not over-represented.

Promotions to the grade of Rs. 800 and under should be made with due regard to seniority if, as I shall suggest later, two grades of Rs. 900 and Rs. 1,000 are added. But it seems necessary to reform the system altogether by recruiting the Provincial Civil Service—the Judicial branch of which should be recruited from the ranks of experienced and able lawyers—by means of a competitive examination of nominated candidates, partly open to nominated candidates of all communities, and partly limited to a competition of the more backward communities, on the same lines as I have suggested for the Indian Civil Service.

47864. (52) In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—I have no practical knowledge of the recruitment of the Provincial Civil Service in force in all provinces, but I understand that practically in every province recruitment is done by means of official nominations which often create heart-burning among individuals, classes, and communities. This should be altered into a system of competition among nominated candidates.

47865. (53) Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—I consider that recruitment for a Provincial Civil Service should ordinarily be restricted to the residents of the province to which it belongs. But in case of such institutions as the Aligarh College, which are of an Imperial character, an exception should be made, permitting their Old Boys to enter the Provincial Civil Service either of their own province or of the province in which the college is situated.

47866. (54) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Due representation of classes and communities in the Provincial Civil Service is most desirable; and, if the method of recruitment which I have suggested in answer to question (5) for the Indian Civil Service is adopted, *mutatis mutandis*, I think due representation would be ensured without the dangers attending official nominations.

47867. (55) Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I have no direct knowledge of the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service; but I may suggest that if probationers and junior officers are encouraged to refer their difficulties to District Officers, the Service, the Administration, and the District Officers themselves would considerably benefit thereby. Indians, as a rule, are a more emotional people, and any

little encouragement offered to them early in their official careers is remembered with gratitude. If, on the other hand, they meet with chill reserve or positive discouragement they are liable to lose much of the dash and energy which they may have acquired in college life.

47868. (56) Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The numbers of officers authorized to higher grades of the Provincial Civil Service are in every province wholly inadequate and calculated to block the promotions after the grade of Rs. 500 has been reached. Out of a total of 1,359 posts of Deputy Collectors and Extra Assistant Commissioners, only 146, or less than 11 per cent., are held by men drawing more than Rs. 500 *per mensem*. Similarly, out of a total of 892 officers in the Judicial branch of the Provincial Civil Service, only 121, or a little over 13 per cent., draw salaries over Rs. 500 *per mensem*. This is extremely inadequate, and, unless that which is the meat of the Indian Civil Service is the poison of the Provincial Civil Service, there should be a large addition to the numbers sanctioned for the higher grades in the Provincial Civil Service.

I suggest that a third of the total number of posts in the Provincial Civil Service should carry salaries over Rs. 500 *per mensem*, and that where grades carrying higher salaries than Rs. 800 per mensem do not exist, two grades carrying salaries of Rs. 900 and Rs. 1,000 *per mensem* should be added. There can be no justification whatever for an arrangement ensuring permanency in a post carrying a salary of Rs. 1,000 or over to every member of the Indian Civil Service after eight years of completed service, while making it absolutely impossible for a member of the Provincial Civil Service to reach any grade carrying a higher salary than Rs. 800 even at the end of 30 years' service. This is a very modest demand but, as I have suggested more extensive appointment of members of the Provincial Civil Service to posts ordinarily held by members of the Indian Civil Service, I do not recommend the creation of grades higher than one carrying Rs. 1,000 *per mensem*.

47869. (57) To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—I have no direct knowledge of the extent to which the functions of the officers of the Executive and Judicial branches of the Provincial Civil Service are differentiated in the various provinces, but I believe judicial, that is, magisterial functions, are exercised in every province by members of the Executive branch. The separation of Judicial and Executive functions is a measure which has long been overdue, and which was supported recently by every Indian member present on the occasion when the Hon. Babu Surendranath Banerjea moved a resolution in His Excellency the Viceroy's Legislative Council favouring experiments in that direction. I am not aware how far this question falls within the purview of this Commission; but if it does, I trust that the Commission will not hesitate to recommend the commencement of extensive experiments of such separation which was promised by the Government of India several years ago.

47870. (58) Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I am satisfied with the designation "Provincial Civil Service;" but I may mention that the conditions of the Provincial Civil Service are of such a character that while members of the Indian Civil Service use the letters "I. C. S." after their names almost invariably, I have not come across anyone in the Provincial Civil Service who suffixes the letters P. C. S. to his name. It is not the name that matters, but the work, the status, and the salary, and so long as these remain unchanged a mere change in the name would signify nothing.

47871. (59) Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept as suitable the principle recommended by the Public Service Commission of 1886-87 that the conditions of the Provincial Civil Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed. But I strongly deny that the principle has been followed in actual practice, unless the expression "desired qualifications" is so elastic as to be absolutely useless for all practical purposes. If the officers now appointed to the Provincial Civil Service are still as good as those appointed 15 or 20 years ago, and in some cases even better, it is because there has been a general improvement in the educational qualifications of Indians, and not because the best classes of Indians prefer Government service to-day as they did previously. As a matter of fact, although the general level has been raised, the conditions of service in India have a tendency to stunt the growth of individuals, and giants are much rarer to-day than they were a generation ago. To give the instance of a single community in a single province; there is no likelihood of discovering among the Muhammadans of the Provincial Civil Service men like Sir Syed Ahmed Khan, Nawab Mohsin-ul-Mulk, Nawab Viqar-ul-Mulk, and Dr. Nazir Ahmed, who were all British servants of one and the same generation of officials, and two of whom were not even in the Provincial Civil Service, but in the Subordinate Service. Whatever principle is fixed it must be the same for the Provincial as for the Indian Civil Service.

47872. (60) Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay and grading in the Provincial Civil Service are not adequate to secure the necessary qualifications in the officers appointed.

I would suggest that the Provincial Civil Service should begin with the grade of Rs. 300, and the highest grade should carry Rs. 1,000.

Grade below Rs. 300, should be transferred to the Subordinate Civil Service.

I would suggest that the present system of grade promotions should be abolished, and the following system substituted for the Provincial Civil Service. There should be four grades, one carrying salaries from Rs. 300 to Rs. 500, another carrying salaries exceeding Rs. 500 but not exceeding Rs. 800, a third carrying a salary of Rs. 900, and a fourth carrying a salary of Rs. 1,000.

The number of posts in each grade should be fixed according to the needs of the Administration; but the numbers in the grades carrying higher salaries than Rs. 500 should not exceed a third of the total strength of the service, including leave and training reserves.

Appointments to the grade of Rs. 900 and Rs. 1,000 should be made on a joint consideration of merit and seniority; but seniority alone should not entitle an officer to promotion to these grades.

Promotions from the lowest grade (Rs. 300—500) to the next higher grade (Rs. 550—800) should depend upon seniority, but should be made when a vacancy occurs in the higher grade.

Within the lowest and the next higher grades, a time-scale should be adopted, the increments in the lowest grade being Rs. 50 every 3 years, and in the next higher grade Rs. 50 every 2 years. In this manner an officer would be able to draw a salary of Rs. 500 *per mensem* after 12 years of completed service. An officer in the next higher grade drawing Rs. 550 per mensem would be able to draw Rs. 800 per mensem after another 10 years of completed service. But it may take him two years or more to cross from one grade into another, although he will be certain to draw Rs. 800 before he retires after a completed service of 30 years. If he has done meritorious work he has a chance of drawing for a few years before his retirement a salary of Rs. 900 or Rs. 1,000.

47873. (62) Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable?—I have no direct knowledge of the leave rules applicable to the Provincial Civil Service. But it is not essential that the leave rules for the European and the Indian Service should be identical. All the same, opportunities should be given to members of the Provincial Civil Service to spend at least six months within the first five years of their service in England, so as to widen their outlook and acquire a knowledge of the ways of the nation to which the majority of their superior officers belongs. I would also add that acting allowances should be given to the members of the Provincial Civil Service whenever they are placed in more responsible charge.

47874. (63) Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I have no direct knowledge of the present system of superannuation pensions for officers of the Provincial Civil Service, but I understand that the same principle is not followed in their case as in the case of the members of the Indian Civil Service. I would suggest that a uniform pension of Rs. 400 a month should be secured to all members of the Provincial Civil Service, after a completed service of not less than 25 years, unless an officer of the Provincial Civil Service is promoted to a post ordinarily held by members of the Indian Civil Service in which case special pension rules should apply, which should take into consideration the salary drawn during the last five years of service.

47875. (64) Are you satisfied with the existing organization of the Provincial Civil Service? If not please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—My answers to the foregoing questions cover this question, but I may add here that the Executive branch of the Provincial Civil Service should rank, so far as distribution of work is concerned with the grades below the Collector in the Indian Civil Service, and that no distinction should be in the allotment of work to Deputy Collectors and Assistant Collectors and Joint Magistrate. It would however be desirable to distribute members of the Indian Civil Service and the Provincial Civil Service in a more or less uniform proportion.

47876. (65) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I would strongly urge that more and better use should be made of the Executive branch of the Provincial Civil Service in the administration of the district. At present most of the uninteresting work which requires patient labour for its performance is thrust upon Deputy Collectors to such an extent that they become little better than drudges. But in the more delicate and interesting task of maintaining order in the district, and initiating measures for its general progress and happiness, the Deputy Collectors are very seldom consulted. If judiciously used they would even now prove of inestimable value.

For instance, during the anxious times of religious festivals of the Hindus and Muhammadans, I would consult the Hindu and the Muhammadan Deputy Collectors freely and would, in fact, pick one or two out of each community, and make them responsible for the maintenance of order and peaceful celebration of the festivals and smooth progress of religious processions whenever there is any likelihood of a rupture of relations between the Hindus and the Mussalmans and a disturbance of the peace. Of course, it would not mean the shirking of responsibility on the part of the Collector himself. But I would make the Deputy Collectors feel that their own reputation and the reputations of their communities and their service were at stake, and that there was no desire on the part of the European Collector to obtain all the glory that could be had out of the successful administration of the district.

It would encourage a sense of responsibility in them and necessary initiative. When they are in charge of a sub-division, they should be made to feel that it is a fairly independent

charge, subject not to the dictation and constant uninformed and petty interference of the Collector, but only a general supervision commensurate with the responsibility of the head of the district. In all projects of a beneficial character relating to public works, education or sanitation they should be encouraged to work with the officers of these departments not as subordinates but as co-workers. In fact I would encourage the creation and development of the same spirit which exists in the Indian Civil Service so that the two services may not remain, as at present, like two castes with a wide unbridgeable gulf yawning between them, the Brahman of the Administration being regarded as indispensable for every function of any importance and the depressed classes as mere drudges, and for all the necessity of their existence altogether untouchable.

MR. MUHAMMAD ALI called and examined.

47877. (*Chairman.*) You are the editor of the "*Comrade*"?—Yes.

47878. What interests does your paper represent?—General Indian interests.

47879. You consider that the present system of recruitment in England is unsatisfactory both as regards Indians on account of the distance, and also from the point of view of different communities?—Yes.

47880. You do not consider that an examination is the best means of testing purely administrative ability?—That is so for India.

47881. In your scheme therefore you desire to provide an opening for communities less advanced from the educational point of view?—Yes.

47882. Your plan is to have the examination in England open as now to Europeans and Indians and to supplement this by an examination in India?—Yes.

47883. And you would nominate candidates for that examination to fill twenty per cent. of the posts?—Yes. I would nominate three times as many as the vacancies and select for 20 per cent. posts held by the members of the Indian Civil Service at present.

47884. Out of that twenty per cent. twelve would be allotted to candidates who stood first in order on the list?—That is so.

47885. The remaining eight would be distributed over selected candidates representing various communities?—Over the best candidates from the communities entering the "limited competition."

47886. Will this examination be open to the whole of India at the outset?—Yes.

47887. Would you have any qualifying educational test for candidates?—They should be graduates as a rule.

47888. Of how many persons would you suggest that the Board of Nomination should consist?—I should think about ten or twelve would be satisfactory.

47889. You think a board of ten or twelve could decide matters of this sort better than a smaller board, say of four or five?—A smaller board will not be able to have representatives of the various classes I propose to have on the board.

47890. Would your supplementary examination in India be conducted by the Civil Service Commissioners?—I think that would be the best way. I should like it to be exactly the same examination as I propose for the open competition in England, so that there should be no question about the educational status of the man who joins the service through the examination in India.

47891. You attach great importance to the representation of the various communities in the Civil Service?—I do. But it is not so much in the interests of the communities themselves as in the interests of efficiency of the administration. My contention is that a mere literary examination cannot test those qualities which are necessary for administration, and therefore communities which have certain talents for administration but not similar talents for passing examinations should be equally balanced with those who do pass well.

47892. I can understand your first premise, but I do not quite see how you are going to arrive at your second by a Board of Nomination. How is a board going to tell the individual that he has displayed inferior intellectual qualities but that he has superior administrative qualities?—I do not deal with the individual but with communities in my suggestion.

47893. You have to come eventually to the individual?—That will be a general question of character, the position a man has acquired in his college life, whether he has been an office bearer of any societies, the captain of a cricket or football club, or president or secretary of the Union, and things like that. These are qualities which are fairly well tested in the colleges now, especially in residential colleges, and these are the qualifications which are taken into consideration even now in Government nominations.

47894. You propose to retain the present age-limits for the examination in England?—I wish to advance it by six or seven months. I take it as 22 or 24 on the 1st of January instead of the 1st of August, and that gives an Indian a chance of taking his degree both here and there before the Civil Service Examination.

47895. Supposing you also found that it was greatly to the advantage of the European that the age-limits instead of being advanced should be materially reduced, would that affect your proposals in regard to the age-limits for Indians in the supplementary examination?—I should still keep the same age for Indians that I suggest, 22 to 24 on the first of January.

47896. Having passed his examination, an Indian would go to England for a course at the University with the other Civilians?—Yes.

47897. In addition to the form of recruitment I have discussed with you, you suggest there should be an extension of the listed posts to one-fourth of all the posts in all classes and grades in the Provincial Service?—Gradually, beginning with a sixth now and gradually extending the proportion to a quarter.

47898. You would promote to those posts direct?—Exactly.

47899. You would promote them up to one-quarter into the Indian Civil Service?—Yes.

47900. You would also recruit half the judicial appointments from the Bar, leaving the other half to the Indian Civil Service?—That is so.

47901. Do you mean that you would debar members of the Provincial Service from such appointments?—No. The judicial posts would be in the same cadre as those of the Executive branch, and therefore they would have their chance of coming in. But taking the whole of the judicial posts, half should go to the Bar, and after that a fourth of the balance should go to the Provincial Civil Service.

47902. You open out a certain number to the Provincial Service as well?—Yes.

47903. You also reserve 2½ per cent. of the Indian Civil Service posts for the appointments of Indians under special circumstances?—Yes, as a maximum.

47904. That is a revival of the Statutory system?—Not exactly. It may be to a certain extent. But it is to be a very exceptional case. I do not think it is very likely that these should be filled. For instance a man who may have failed in the Indian Civil Service examination in England, comes out to India and shows capacity, and if the Government feel inclined to avail themselves of his services it should be open to the Local Governments and the Government of India to take him.

47905. With these different forms of recruitment have you calculated how many would be left to Europeans when all these posts have been filled?—I do not know. The term "Natives of India" includes Europeans, and the Bar also includes Europeans, so that I have not calculated how many Europeans there would be: I think about half and half.

47906. It would be a much smaller amount, would it not?—About half and half.

47907. If you calculate it you will find it to be a good deal less than half. Do you desire to see a British element maintained in the Administration?—At the present moment I think there should be a predominant element but the question should be considered gradually at different stages. At present I think the preponderance of the British element very necessary.

47908. So that if under your scheme of recruitment the Indian element was something considerably over a half would you say it should undergo modification?—I should say it should be worked up to within a certain space of time. I do not think it is necessary to work up to it absolutely at once; it would not be possible to give a quarter of the posts to the Provincial Civil Service immediately. We shall have to hold out the promise to the new generation of officers coming in.

47909. In your answer to question (18) you say you do not consider it necessary that certain posts should be reserved by statute for the Indian Civil Service?—That is so.

47910. I do not understand why you do not regard it as essential that posts should be reserved for that service. What is your alternative?—Merit should be the only criterion for these posts.

47911. Do you mean merit outside the Service?—Anywhere; wherever we can find it, whether in the Provincial Civil Service or in the Civil Service.

47912. You mean that the high posts in the Service should be filled by members direct from subordinate positions in the Provincial Civil Service?—I do not mean that they should be filled direct in such a manner that a Deputy Collector may be put in as a Lieutenant-Governor. I mean that because a Deputy Collector is not a member of the Indian Civil Service he should not be debarred from becoming a Lieutenant-Governor if he is a capable man.

47913. But he would go first of all through the lower grades of the Indian Civil Service?—That is so.

47914. Would not your proposal, if carried out, destroy the whole organization of the Public Service?—I do not refer to the posts held by the Indian Civil Service, but the actual service which goes by the name of the Indian Civil Service in this country. That is to say, a Provincial Service man if he becomes a Joint Magistrate, or Collector, or Commissioner.

47915. Then he is no longer a Provincial Civil Service man?—Throughout I have called him such because of the door through which he comes in rather than of the post he actually holds.

47916. You do not mean exactly what you have put down?—Not exactly in the sense you take it, Sir.

47917. In your answer to question (18) you make rather a sweeping statement in regard to the holders of listed posts, to the effect practically that they are the creatures of an intolerant and proud environment; do you really suggest that the whole of the members holding listed posts to-day in the Public Service of India are of that character?—I do not for a moment suggest that all the members of the Indian Civil Service are proud and intolerant. But the atmosphere is there. It is not to the individuals that I refer.

47918. But is it not a very definite suggestion?—It may be so, but I mean the atmosphere, not the individuals.

47919. You would like to modify that?—As regards some individuals, yes, but I do not include them. The atmosphere is one of intolerance and pride.

47920. There is no sense in talking of a pernicious atmosphere unless the character of the officers concerned is affected by that atmosphere?—It need not always be affected.

47921. Are you prepared to say that officers occupying listed posts are influenced in this way?—I do not think all; I said many. I should particularly like to read the passage to which you refer.

47922. You say: "The result of this is that even the 71 men of all the provinces of India who have been selected by the men in the higher service to fill the listed posts are in many cases selected chiefly because they have successfully adapted themselves to the environment of pride and intolerance."—I have said "in many cases."

47923. Are you really prepared to say there are many cases of officers to-day in the Public Service who are only occupying those positions because they have adapted themselves to these influences?—To a great extent.

47924. You take a very different view from other witnesses that we have had before us on that point. In your answer to question (36) you make another somewhat sweeping statement, and one which I think it would require a great deal of experience fully to substantiate, as to the lack of proficiency on the part of officers of the Civil Service in the vernacular language? —That is my experience.

47925. Do you assert that Civilians can seldom talk or write a few sentences in the Indian languages correctly?—Yes.

47926. Have you had a very wide experience of officers in this country?— Fairly considerable experience in different provinces.

47927. And that is your experience?—Yes.

47928. That again is an experience which shows considerable divergence from other evidence we have had before us. Do you really say that Civilians who have been working in the districts for years can hardly write or speak correctly a sentence of the language with which they have been daily associated?—It is very unfortunate indeed but that is exactly the position. Very few people outside this country can realise the extent of the deficiency. The best proof of it is to have a European officer, or five or six European officers, taken at random from the Service to talk to Indian gentleman in polite society, and see how many solecisms and mistakes of grammar and idiom they make. My experience has not been more unfortunate than that of others; but I find the knowledge of vernaculars possessed by members of the Service is very poor indeed.

47929. Do you prefer, when talking to a European, to talk in the vernacular?—It generally spares him a great deal of inconvenience if I speak English, and I do so. I could talk to him in the vernacular if he wished it.

47930. What I suppose you mean is that you would like to see a better method of training European Civilians in the vernacular?—That is so.

47931. You think that with that better form of training and careful supervision of it in the early years improvement could be realized?—Yes; it would then be a very splendid Service. I may add that I have no desire whatever to make any needless reflections on the linguistic powers of the Service. The only thing is that they involve themselves in unnecessary and avoidable odium on account of their want of knowledge of the language. There are many mistakes of idiom which betray them into want of courtesy, which they did not mean: I think it is necessary that the matter should be brought before the Commission.

47932. You take great exception to the present establishment of the Indian Civil Service cadre?—That is so.

47933. You say there are too many appointments in the cadre?—The higher appointments.

47934. Have you a return which you can give us?—I took my figures from the appendices that the Commission supplied, and I found from that that the Service is somewhat top-heavy.

47935. The Service is based upon a scientific calculation: do you disapprove of the calculation?—I do not know what is the basis of calculation for the higher posts, but certainly the lower posts are calculated on those who will pass into the higher posts.

47936. They are based on that, taking into account all the wastage, leave reserves, and so on. I take it your contention is that there are too many superior posts?—Yes.

47937. To be of any use to us in this enquiry we should require from you a detailed return showing what posts are superfluous.—I have not prepared a statement of that nature at present.

47938. It is the first time that such a suggestion has been made before us, and it would be very necessary, if we are to regard the proposal as important, to have details.—I could supply such details to the Commission.

47939. Showing where the superfluous posts in the various provinces are and how they could be removed without detriment to the Service?— Not exactly removed, but filled by men drawing smaller salaries.

47940. Your contention is that where there are a hundred there should be ninety?—No, that is not my argument. The superior posts for which the salary is Rs. 1,000 a month or more are too many, and I should like some of them to be held by men drawing less than Rs. 1,000?

47941. You suggest a reduction in the number of higher posts and an increase in the junior posts? It would require a full and detailed return to give that suggestion any value.—I am prepared, if desired, to send it to the Commission.

47942. You make somewhat the same comment on the Provincial Service as well; but of course you are aware that the whole system of recruitment for the Provincial Service is different from that of the Indian Civil Service?—That is my complaint.

47943. You are also aware that the work attached to the posts in the two Services is also very different. The work done by officers in the Provincial Service is very much the same all through, whereas the work done by officers in the Indian Civil Service is varied in character? —That is so. The way that the grading of the posts is done, and the smaller salaries, and the want of acting allowances, are detrimental to the interests of the Provincial Civil Service, and are likely to stunt the growth of the men in that Service. They have not such a wide outlook or such prospects open to them even if they are competent and efficient workers. The superior posts are much too few for the number of subordinate posts in the Provincial Civil Service.

47944. You would like to see additional grades of Rs. 900 and Rs. 1,000 put into the Provincial Civil Service?—Yes.

47945. In your contrast of the two Services you realize that the conditions of the one Service are quite different from the conditions of the other?—Exactly.

47946. Therefore the form of recruitment should not be the same?—In the Civil Service there is a good deal of work of an Imperial character which the Provincial Civil Service would not be required to do: I am quite prepared to admit that.

47947. (*Lord Ronaldshay.*) There are just one or two points I am not quite clear about as to your scheme for recruiting Indians for the higher

Service. I understand that first of all you would lay down that 20 per cent. of the vacancies to start with should be competed for by Indians?—Yes.

47948. Roughly speaking, we may assume that there are 50 vacancies in the course of a year, so that under your scheme there will be 10 vacancies in the year to be competed for by Indians out here?—Yes.

47949. Out of those 10 vacancies I understand that 12 per cent., that is to say 6 of the vacancies, are to be filled by successful candidates in the competitive examination?—That is so.

47950. Having filled the first 6 vacancies you are going to fill the next 4 vacancies by what you describe as limited competition amongst certain communities?—Certain communities and certain provinces.

47951. Are these 4 places going to be filled as the result of a second competition among a limited number of candidates?—Not necessarily; the same examination is quite sufficient.

47952. You would take all the people after the first 6?—Yes.

47953. Would you then select certain representatives of the different communities from amongst them?—No. I would put down a certain number of men as selected for the limited competition. It depends chiefly on the communities themselves—if all these communities or provinces which are backward wish to have one examination throughout for the whole group, in that case for these 4 vacancies the 4 top men would be taken from the communities which I include in these so-called backward communities, but I would not lay it down that so many should go to the Muhammadans, so many to the Sikhs, and so many to the others. They should be for certain classes, communities, and provinces which are called backward.

47954. You also say that this proportion of 20 per cent. should be automatically increased every 3 years, so that if there were 10 vacancies to be filled in India the first year I suppose there would be 20 vacancies to be filled in the fourth year, 30 in the seventh year, and so on; where would you stop?—I do not think I have fixed a period of 3 years.

47955. You say that the proportion should automatically increase every 3 years and you suggest commencing with 20 per cent. Are you going to increase your 20 per cent. by another 20 every 3 years?—Not necessarily. It may be 21 per cent. after 3 years.

47956. Who is going to decide that?—The Commission might say how after every 3 years the proportion should be increased.

47957. You would leave that to us to recommend?—Yes.

47958. With regard to not reserving any posts out here for members of the Indian Civil Service, am I to understand that you think the schedule to the Act of 1861 ought to be repealed?—I think so.

47959. If you do that of course you would take away the security which the Service at present have as to their prospects?—It will not be to a very large extent. The Service would know that they had an open door and the Government, being composed to a great extent of men of the Service, would not go outside the Service unless it found special merit. We have had the appointment of a Member for Commerce on the Executive Council. If a member of the Indian Civil Service had been sufficiently competent probably that Member would not have been appointed from home.

47960. That surely is not one of the appointments which is scheduled?—I only give that as an instance. Supposing there was a Financial Commissioner of the Punjab, if you could get a Provincial Service man who is very capable, I do not see why it should be laid down by schedule or any Act that it should always go to a member of the Indian Civil Service.

47961. Of course the Government, even though the schedule is there, can appoint men under special circumstances to hold places ordinarily occupied by members of the Civil Service, but if you take away the schedule you take away really any statutory guarantee which the members of the Service have as to their prospects when they come out here. Do you not think that would have a very adverse effect upon the recruitment of the Service?—If any such apprehension is likely to be created I would suggest that there should be an enactment in very general terms pointing out that the appointments scheduled are for the Services recruited by an open competition in England, by competition in India, by promotion from the Provincial Civil Service, and by recruitment from the Bar, so that the Service would know it has to compete for the scheduled posts along with the others. Men from England or any other part of the world should not be brought in absolutely irrespective of the claims of these people. My idea was not so much to remove the guarantees of the Indian Civil Service as to allow the other services to have a chance.

47962. In your answer to question (5) you say it was a misfortune that the official language was altered from Persian to English, and then you go on to say that this evil has been aggravated by repeated political onslaughts on Urdu, threatening the Mussalmans with a loss of even the minor posts in the public service. What do you mean by the repeated political onslaughts on Urdu?—Efforts have been made, particularly in this province and in the Punjab also, to make out that Urdu is not the language of the province, or only one of the languages, and that there is another language called Hindi. In the Punjab it was at one time said that the language of the province was Punjabi and not Urdu, and that the court language should be Punjabi. Another party arose and for political reasons considered it should not be Punjabi but Hindi. This new development of Hindi for the purpose of conversation and prose writing is quite an artificial thing and savours more of a political attack.

47963. How does this wrangle between various people as to the merits or demerits of particular vernaculars threaten the Mussalmans with a loss of even the minor posts in the public service?—If we understand that the Muhammadans are not taking up the Hindi character and Sanskrit language, the clerical appointments in various offices will not be given to them because they are not studying that character and that language.

For ages they have been reading either Persian or Urdu, and if they have to learn a new official language, with a very large number of Sanskrit words, it would very seriously affect them.

47964. Am I to understand that the recognised official language in the public service is Urdu?—Yes, in the United Provinces and the Punjab.

47965. And your contention is that a certain number of people want to have that altered and to have another language, such as Hindi, substituted as the official language?—That is so.

47966. With regard to the Provincial Service, I very strongly deprecate your continual reference to it as a pariah Service. It seems to me to cast a very undeserved slur upon a very hardworking and deserving body of officers. You do not really agree with the description?—I have not described it as any reflection on them. I have great respect for the Provincial Service, and my remarks have been made entirely in their interests. I am not at all likely to find myself very much out of favour with them for having stated what they are made by others.

47967. Do you mean to suggest that the terms of service offered to members of the Provincial Civil Service are only fit for pariahs?—It is only metaphorical language, and I have put it in inverted commas. The expression is used frequently, but it is not my own.

47968. You do not really mean that it is so?—I do not mean that they are pariahs, although pariahs after all may be very estimable people.

47969. You are very much in favour of increasing the status and the prospects of the Provincial Service?—That is so.

47970. And you are in favour of promoting officers of that Service to the Commission of the province?—Yes.

47971. You think they might be selected before the age of 35?—Yes.

47972. When they have had a comparatively short period of service in the Provincial Service itself?—That is so.

47973. Do you think that if you were to select men for promotion in this way it would be likely to cause dissatisfaction or discontent in the ranks of the Provincial Service?—Just as much as it causes to get a junior Civilian put over the heads of senior Civilians because he is a brilliant man. Very often you see in the Secretariat a man who goes up who is not quite a *persona grata* to members who have not gone to the Secretariat.

47974. But you do not think that any discontent or dissatisfaction which might be created in the senior men who were passed over would constitute any obstacle to putting your suggestions in practice?—No great obstacle whatever. I do not mean that these young men below 35 who are put into the cadre of the Civil Service should be put in charge of districts, and so forth. I only mean that being transferred from one cadre to the other they would acquire a certain status by being given the kind of work done by members of the Indian Civil Service.

47975. You mean that they should be first of all promoted to a Joint Magistracy?—That is so.

47976. You therefore object to the present system under which the inferior listed posts are merged in the cadre of the Provincial Service?—Yes.

47977. You would like to restore those posts to their original status as Joint Magistrates and Assistant Magistrates?—That is so.

47978. You would be prepared to fill one-fourth of the higher Service by promotion of officers from the Provincial Service?—That is so.

47979. Your view being that the actual performance of administrative work is by far the best test of a man's capacity?—Yes. I lay much greater stress on that than on any other test in India such as the simultaneous examination. Some men may not venture to enter through a door where there is so much competition, and they will have to start in a very small way. This is the main opening I should like to have.

47980. As you are so convinced that the actual performance of duty is the best test of a man's administrative capacity, why do you suggest any other entrance to the higher Service than promotion from the ranks of the Provincial Civil Service?—Many people are too poor to afford to wait for an examination until they are 23 or 24, and if a man takes his degree at 20 he can enter into the Provincial Service if he is a brilliant man. Many brilliant men who could have passed the Civil Service examination if they had an opportunity of going to England have started on Rs. 50 and Rs. 75 in this country. It would be a pity to force a man of that type to go through all the work of the various stages and sometimes be killed out by the pressure. If he started on Rs. 400 or Rs. 500 a month, there is a much greater chance of his coming to the fore quickly.

47981. If you are going to have these two doors into the higher Service in India and let your men in by the separate examination, will not that rather act as a discouragement to men going into the Provincial Service?—Those who do succeed will be very small. We have a population of three hundred millions in this country, and we shall have every year probably 10 vacancies going to the Indians.

47982. (*Mr. Sly.*) I wish to ask your considered opinion as to the best method of recruiting Indians, whether by competition in England of men who have had a certain amount of education in England, or by a system of direct recruitment in India?—I think both systems should be adopted. Personally, I think it is better in the interests of the country itself that men should be recruited in this country, especially in the interests of the poorer population.

47983. Apart from the question of poverty, which do you really think gives the best Indians for the service of the Government of India?—If the recruitment in India is to be the same as the recruitment in England, by an examination held on the same terms, there is very little difference except that a poor man could get in. The difference should rather be in the method of recruitment.

47984. Is there not an advantage at present in the fact that the Indian candidate now goes to England and spends 2 or 3 years on his special education there?—It is a very great advantage to him: a very great advantage for those who can afford it.

47985. Then do you propose to send the candidates who pass by your separate examination to England also for training?—For at least two years.

47986. I have tried to visualize your scheme as a whole. I gather that you want 20 per cent. of the vacancies for separate recruitment in India; in addition you recommend that half the Judicial branch should be recruited from the Bar in India; you have further recommended that 5 per cent. of the appointments should be open to special selection in India; and lastly you would have a quarter of the appointments filled by promotion from the Provincial Service?—The 5 per cent. is not only for selection in India; it may be anywhere.

47987. Five per cent. for special appointments?—Yes. I do not restrict the field of recruitment for these to India.

47988. Have you calculated at all what the cumulative effect of this would be on recruitment in England?—I should think it would probably reduce it to about a half.

47989. I have calculated it out as far as I can, and I find it would reduce it to at least a third of the present recruitment. Taking the present average as about 50 appointments at the open competition in London, you would have 17 appointments only available for competition in England?—I should like to work it out myself.

47990. If that is the effect of your scheme, do you think it is really a desirable effect?—I would not start it at once in that form. I would begin by giving one-sixth to the Provincial Service instead of one-fourth, and in the same way with reference to the Bar. We should have to work up by slow degrees. Probably we should be able to work up to that in ten years' time.

47991. To put the question in another form, what proportion of the existing appointments do you consider should still remain to be recruited in England after making allowance for all your special requirements in India?—I would suggest that we might put 60 per cent. in England at present.

47992. In so far as your scheme would reduce the number of vacancies for competition in England below 60 per cent. of the present number, you would desire to modify your scheme?—Yes, to start with.

47993. With regard to the Schedule of the Statute of 1861, one of the main reasons you have put forward for its abolition is that there should be full opportunity for officers of the Provincial Service to rise to any post?—I think so.

47994. Is it not the case that under the Statue of 1870, so far as Statutory law is concerned, the Provincial Service have full opportunities of rising?—I do not think so.

47995. Any disability that occurred under the Statute of 1861 with regard to Indians was removed by the Statute of 1870, was it not?—The way the rules have been framed from time to time and the delay that has taken place in connection with the listed appointments. . . . . .

47996. Whether the Statute has been given effect to or not is another matter. So far as the statute law is concerned, the repeal of the Schedule, which you recommend on the ground that it bars officers of merit from the Provincial Service or from any other Service in India getting such appointments, is met by the fact that such a bar is removed by the Statute of 1870, is it not?—The Statute of 1870 is much too weak for the purpose. Rules can be made under it of such a nature that they will practically leave no effect whatever to the Statute. Any rules may be made under the Act. If certain particular Services tend to become more and more like a caste, hedged round with enactments and schedules, the prospects of the Provincial Service become worse and worse.

47997. So far as I can understand the legal position, the only effect of the Statute of 1861 at the present time is to preclude the appointment of certain Englishmen to certain posts in India except under the special clause?—Is that so?

47998. Is it that point which you wish to remove?—Not at all.

47999. You wish that to remain?—Yes.

48000. You have made a long comparison between the principles of recruitment and the prospects of the Indian Civil and Provincial Civil Services. Is not the Indian Civil Service recruited solely for the purpose of filling superior posts in India?—Yes, at present.

48001. And therefore the number of inferior posts attached to it is the minimum number that is supposed to be adequate to give the necessary training to those officers who are to hold the superior posts?—My complaint is against this principle itself.

48002. I should like to understand exactly what your complaint is?—My complaint is that we should not take the needs of the Service into consideration. We should rather say that there are so many posts required for the administration of the country, and for those posts we should take men from wherever we can get the very best. We have for that purpose an examination in England and I suggest an examination in India. Also I would have recruitment by promotion from the Provincial Service.

48003. Is not that so at present? It may not be so in accordance with the proportion which you consider reasonable, but that is the principle, is is not? Take the converse effect. If you reduce largely the number of superior posts because you say that they are unfair in proportion to the superior posts in the Provincial department, would it not have the effect that you would get a large number of people recruited in the Indian Civil Service for inferior posts out here, which would be an extremely expensive method of Indian administration?—My idea is not exactly to have a particular service, and a number of inferior and superior posts, in the way they have now been fixed. We first fix the number of superior posts, and then we say a man has to get one of these superior posts within a certain number of years, and therefore we shall not have any more men in inferior posts because it will block his promotion. The first consideration in fixing these posts at pesent is that the men should get their promotion and not that the country should have the services of the men it requires.

48004. In a business concern, or any other

concern if you want to recruit a man as manager would you not say he had to pass through a period of training in the lower branches of the business before he could be a manager, and would you then proceed to put a large number of juniors in the lower branches of the Service for that purpose?—I would not like to recruit the Indian Civil Service for all the higher offices.

48005. But that affects the number of posts and not the principles on which the recruitment is to be carried out?—I did not exactly understand your question before. My reasoning is this. Here is a country which has got to be administered, and we have to fix certain posts of high authority and certain posts which may be called inferior. The present distinction is arbitrary. We draw the line at Rs. 1,000, but we might draw it at Rs. 900 or Rs. 1,100. Having fixed those posts I open so many doors. I say that it is not possible to get Englishmen out here to compete in this country, and at the same time it is not possible for all Indians to go to England. I open a door in England to people belonging to the whole Empire, with the exception of certain Colonies which are very unfair to Indians. Then I throw open a door to Indians in India. At the same time I know that the best test of good service for the future is service in the past, and I therefore throw open the door to members of the Provincial Service. To my mind the way in which the principle is stated shows there is more solicitude for the man getting his increment within a certain time, that he should have the salary and the post, than that the country should have the proper number of posts we require. In business offices the posts are fixed according to the requirements of the business, and not by saying that so many managers are wanted in such a place, and that the recruits should work for so many years in subordinate posts and then be made managers.

48006. Surely that is what Government does. Your complaint is that the number of superior posts is excessive compared with the number of inferior posts in the Indian Civil Service; but surely the correct reply to that is that the Indian Civil Service is recruited at present solely for superior posts. That is the sole justification for the recruitment of the Service, and the inferior posts are merely training grounds for men to hold those superior posts. If you take away a number of superior posts as you suggest, and still leave the same number of inferior posts as at present, you will be placing an unnecessary financial burden on India?—Not at all. My idea is that a number of superior posts should be merged into a certain number of inferior posts.

48007. That apparently means that you desire to reduce the emoluments of the Indian Civil Service because you think they are excessive and larger than are required to attract men at present?—It is a top-heavy service with more superior posts than inferior posts.

48008. But must this not necessarily be the case if it is recruited solely for filling higher posts?—I do not wish it to be recruited for that purpose, but for filling all kinds of posts.

48009. The large proportion of posts to which you refer are really included in the Provincial Service, which is a separate service recruited for inferior posts in India?—I consider the duties of the Assistant Collector and Joint Magistrate as important as any other duties, and therefore there is no harm in recruiting for these posts as posts, and not as training grounds for superior posts. Why need we have the inferior posts as a sort of a series of rehearsals for the gala performance later?

48010. The point is that the Provincial Service is recruited as a service to provide officers who will be adequate to perform the duties of Joint Magistrates; the Indian Civil Service is a Service recruited to provide officers who will be competent to fill superior posts above that of Joint Magistrate. Can you make any comparison between two such Services?—I attack the very principle itself on which the two Services are required for two different kinds of work. That is the drift of the whole of my evidence. We create what has been called a "Pariah" Service.

48011. Do you recommend that both Services should be abolished and that there should be one Service?—It is practically that, only certain lower posts are not to be held out to Indian Civil Service men because Europeans generally who come out to this country, would not be able to live comfortably on the Rs. 200 or Rs. 300 given to the Provincial Service.

48012. Therefore there must be some distinction?—Yes, and considering the higher education they have received in the beginning they are quite entitled to start on Rs. 400 or Rs. 500.

48013. (*Mr. Macdonald.*) You claim special privileges for the Muhammadans who get into the Indian Civil Service?—I do not think I have claimed anything special for anybody.

48014. You want communal representation?—In order to get efficient administration I desire to have administrative talent recruited in the best way that administrative talent can be recruited, and I say at present it is unfair to certain communities, of which the Muhammadans are only one.

48015. You would apply this privilege to other communities?—To every community in the same position.

48016. What tests would you impose on them as to efficiency, apart from competitive examination?—We know by experience that Muhammadans and some other communities are not good at passing examinations, as we can see by the results of the competitive examinations held in the past. I would keep a certain minimum qualification, as for instance that none but a graduate should be nominated. People who are not graduates I would leave out of consideration. In the same way I would have the Mahrattas. Communities like that have ruled in this country. Even now in the Native States we find a great many of them employed and doing very good work indeed. These people cannot get in through the ordinary literary examination, and therefore I say the class is losing its proper position now in this country. But to reconcile the claims of the future with the claims of the present I would say keep a certain number of posts open for competition for all communities. Then, although gradually reducing these appointments, keep a

certain amount of post for a limited competition for those classes who possess administrative talent but have not talents for passing examinations.

48017. I can quite understand the competitive test with all its failings and shortcomings, but I am not quite sure what the other test is. Is it your claim that there are certain communities with hereditary claims who cannot pass examinations?—That cannot pass competitive examinations.

48018. They would not be successful in competitive examinations?—That is so.

48019. And at the same time these classes by heredity have ruling capacity?—That is so.

48020. Do you speak as a sociologist or as a Muhammadan?—Absolutely as a sociologist.

48021. And in view of all the movements and fluxes that have taken place in English History.....What are they to the two or three thousand years of Indian History?

48022. Having cleared the ground in making your selection you have admitted that the European tutors are beginning to get a little twisted in the way they give their chits?—That is unfortunate.

48023. There must be Indian shortcomings also of the same kind?—There must be.

48024. What are they?—Probably more or less a religious or caste bias.

48025. So that the difficulties you admit to be showing themselves in the case of European tutors are also showing themselves in the case of Indian tutors?—When they speak of tutors the University authorities generally mean members of the Indian Educational Service, who are mostly Europeans. When I made that remark I had in my mind Indian Educational Service tutors.

48026. The nomination which you desire will be carried on mainly through a European agency?—Assisted by a non-official Indian agency.

48027. And of that agency you say: "I have noticed of late a tendency amongst some European tutors to prefer a sycophant to the manly and straightforward under-graduate"?—That is the most unfortunate part of it, but we cannot neglect the tutor.

48028. You know, from reading speeches like those of Sir Syed Ahmed Khan and others, that you have taken a most magnificent and praiseworthy step forward in educational work?—Yes.

48029. Am I right in concluding from those speeches that if your community had had a way paved for them into the Public Service other than the hard way of the competitive examination, you would not have gone so far as you have gone?—No. The hard way of competition works well with certain communities, but not with others.

48030. Supposing you had been giving us evidence thirty years ago, and you had taken up the attitude that would then have represented the Muhammadan needs, with no Aligarh, no University, and no College of any importance, and you had said that you had a capacity to govern but no educational facilities, and therefore you should be taken in without educational facilities. If that had been the position, and you had been taken in, would you have had the great educational facilities you have now got?—The thing has only changed to a certain extent There are certain provinces of India where education is only now rapidly making progress, in Bengal and Bombay for instance.

48031. In Bengal they are moving forward splendidly?—They are only just starting, but there was a time when the ordinary facilities were open to every body but no encouragement was given to Mussalmans to take advantage of them.

48032. I should like to shorten the point. Have not these difficulties that you are now giving us evidence about been a sort of providential circumstance compelling you to improve your educational facilities?—I do not think so. There has been education amongst the Muhammadans before. To-day we require in India an education of a different type; we find that is necessary now for our purpose for our economical and sociological improvement. We have taken to that new system, but there are still many Native States where men do not know a word of English and yet they can govern better than some graduates.

48033. On your own system of education?—Yes.

48034. The men who have risen as Governors have risen because they were educated with the education that was required?—Yes.

48035. Now in British India a certain kind of education is required, whether for good or for bad?—Yes.

48036. And in order that you and your community may take its proper share in the Government of India, must you not just submit to the troublesome method of making yourself efficient to the standard required?—Certainly; as long as it is equally fair to every community. If it handicaps one community and not another community, I have every right to ask that the handicap should be removed.

48037. You are getting on very well in education, are you not?- I have very little apprehension on the score of the Muhammadans. I think in 10 or 20 years' time they will require no assistance of that character.

48038. Is there any other community?—Yes, there are the Sikhs, the Rajputs, and the Mahrattas. My experience in Baroda has been that the Mahrattas should get much more assistance than they have been getting from their Mahratta Chief, who has been very gracious to other communities and sometimes unjust to his own community.

48039. To take just a general point: do you represent any organization here?—None whatever.

48040. This is your own personal view?—Yes.

48041. In view of certain very lively observations you make, with delightful literary colour, I suppose we may take it that what you say more or less represents a certain unsettlement that exists outside at the present moment. If I were to go back three or four years to my file of the *Comrade* which represents the same school of thought which I understand is represented in this evidence, would I find the delightful literary liveliness I find in your printed evidence?—

The greater portion of my evidence is based on articles written in the issues of my paper of the 1st and the 15th of April 1911, especially that dealing with the special examination and the different communities. It has been copied from those articles more or less word for word.

48042. What I was thinking of was more the sort of colour and vim with which you have brightened your evidence?—I am afraid I was boisterous even then.

48043. Supposing we had been here three or four years ago and had asked for this evidence, there would have been a slight difference in the Muhammadan evidence we should have got?—There might have been, but I do not know how far it would have coloured my own view. I have tried to keep myself outside the flux to a great extent. I am not prepared to go the whole hog with people who had one set of opinions six months ago and who have another set of opinions to-day.

48044. To that extent we have to try and be impartial as far as the Commission is concerned?—Yes.

48045. (*Mr. Fisher.*) You alluded in your answer to the first question to the lessons you derived from your experience gained in Baroda. Could you tell me what particular illumination you received from that experience?—There are two things chiefly bearing on the work of the Commission, one the sociological differences and the other the question of the judiciary and the executive, with reference to which an experiment has been tried in Baroda with great success. By sociological differences I mean the representation of different communities in the Service. Where one community is well represented in certain departments of the Service members of other communities do not have a look in. We are still very far from the ideal that we should like to approach.

48046. Is the system of balancing one community against another carried on without any dissatisfaction in Baroda?—It has to work smoothly. His Highness very often gets Gujeratis and Deccanis, and when the Decannis are in high office their subordinates who are Gujeratis do not have a very comfortable time, and when the Gujeratis are in, the Deccanis do not have a comfortable time. Very often it happens that the posts are so well divided that the kicks can be shared, and the result is a fair amount of comfort to the community. The fear of retaliation is a very great safeguard of justice.

48047. Is that the system which you would recommend us to copy in British India?—If you want justice.

48048. We have had an opinion from some quarters that while it is very expedient that different classes and communities should be represented as far as possible in the lower branches of the Provincial Service, there is not the same urgency in the higher branches?—I think it holds true everywhere.

48049. Do you think it is equally strong and equally important?—Yes.

48050. You would not admit that the higher the education a man receives the less he feels his caste?—That should be so, but unfortunately in this country we sometimes find very highly educated men—who are not in the Service—who take rather an unfortunate part in politics. To my mind for the next ten or fifteen years the educated classes are likely to be more prejudiced in that way than the ordinary go-easy classes or the masses generally who are not so well educated. I think that is on account of political rivalry at present, and is likely to settle down in another ten or fifteen years.

48051. In answer to question (2), in enumerating the disabilities under which the Indian at present suffers from the London examination you say that no one among Hindus can cross the seas without incurring social forfeiture?—That is to a great extent true.

48052. And yet in your scheme for a separate examination you would compel all successful candidates to go to England for two or three years?—It makes all the difference, if a man has already got something he is prepared to risk throwing away something else.

48053. He does not mind the forfeiture if he is already in the Indian Civil Service?—That is so.

48054. Are you not putting his religious convictions rather low?—It is not altogether religious convictions, but general social discomfort, and he is prepared to brave that after securing social comfort in another way.

48055. (*Mr. Madge.*) Did I understand you to say that you were willing to vest the Government with power to find employment for men who had failed in the Indian Civil Service competition?—It is very possible that a man may have failed in the ordinary course and the Government might find him a very useful man and doing good work, and if the Government felt inclined to take him I would let them. There are any number of instances that might occur to anybody.

48056. Have you heard the complaint that provision has been made in some of our Subordinate Services for what they call the bad bargains of good families who have failed in all examinations?—A man who goes up for such an examination as the open competition, if he is a bad bargain of a good family, must be a very hopeful person. They are not so foolish as a rule as to sit for it.

48057. Does not your recommendation infringe your own principle, that it is not the individual but the Administration that should be the chief consideration?—If for the Administration the Government think it desirable to have a man they can have him. I do not say it for the sake of the man, but for leaving the hands of the Government free.

48058. The Government would accept the fact of the man being desirable on the report of somebody who may or may not be interested?—If Government carried on their work like that there would be a fearful state of things.

48059. You cannot expect the head of the Government to enquire into the merits of each individual?—He has to satisfy himself in all cases.

48060. With regard to the defects in language about which you have spoken, do you mean that because Civilians do not speak the language correctly they fail to win the respect they would

otherwise win, or do you mean they are wholly unintelligible?—They sometimes do not win the respect of the people and they sometimes make a mess of their official work, because they do not understand the niceties of the language. They make social mistakes when they never mean to do so. In their actual work they sometimes fail to grasp the particular meaning of a word. If they rely too much on their low-paid ministerial staff they are likely to be misguided; if they do not rely upon them, but rely on their own unaided judgment, they sometimes make mistakes in the opposite direction.

48061. Do you think Civilians now understand the language less than they did before?—I have no knowledge of them before.

48062. Do you think it possible that their unfamiliarity with the language may arise from their being harder worked and confined more to their desks?—Possibly.

48063. (*Mr. Chaubal.*) You were at an Indian College?—I was at Aligarh.

48064. Was there the same sort of belief there in your time as there was in mine, that a person who was supposed to be a good English scholar was weak in mathematics?—To some extent. It was generally believed that a man with literary talents was not a scientific man.

48065. A person who was a literary scholar was generally supposed to be weak in mathematics?—Yes.

48066. That sort of belief was so ingrained that a student in order to acquire the reputation of being a good literary scholar spread about reports that he was weak in mathematics?—I did not come across a case like that.

48067. It was very frequent in my time; a man boasted that he was weak in mathematics in order that he might be given credit for literary capacity. That was not so in your time?—No; it must have been a very queer way of proving his capacity.

48068. Do you think that the absence of literary capacity necessarily connotes the presence of administrative capacity?—No.

48069. When you speak of castes and communities who have administrative power and capacity, simply because those castes and communities are unable to come up to the present educational standard, do you mean to say that those communities must be credited with administrative power and capacity because they cannot reach that educational standard?—I base my views on the history of India for the last 800 or 1,000 years, and not on the claims which communities put forward to be great adepts in administration.

48070. Why do you connote in any of the communities that you mention administrative capacity, while you admit at the same time that they do not come up to the intellectual calibre of other communities? What is it that leads you to suppose they will exhibit administrative ability?—Because they showed it in the past and have been showing it wherever they have been given a chance.

48071. Let us analyse that. All the administrative capacity of rulers known to the East has been that of an absolute Oriental despot. The best rule that ever obtained was the rule of an autocratic Oriental despot, was it not?—To a great extent.

48072. If you suppose those communities to have inherited that sort of capacity, is that the sort of capacity which is going to be successful under the present administration?—Properly regulated it would succeed. The conditions are different but the capacity for judging human nature and personally seeing how the work was done, and the driving power and initiative and sense of responsibility, are just the same.

48073. Where does the driving power come in?—They have had the driving power in the past.

48074. Supposing a person from such a community as you are thinking of was at present made the head of a district, where do you expect his administrative capacities to be exhibited. If he wants to propose anything it must be sanctioned by the Government, it must be sanctioned by the board, it must be sanctioned by the members of the Government, even before anything can be originated?—You are thinking probably of higher appointments. It is still within the power of the Collector to initiate very great improvements in his own district, for instance in education.

48075. You cannot do that unless it is sanctioned by the Director of Public Instruction or assented to by the Government?—He can send it up, and organize people and form committees for the purpose of improvements.

48076. With regard to your Baroda experience, do you know that the large population in Baroda is not a Mahratta population?—No.

48077. It is mainly a Gujerati population?—Yes.

48078. You have advocated that posts as far as possible should be given to the inhabitants of the province?—Yes.

48079. But the example you give from your experience and recommend to the Commission is that people from another province, because they belong to the same caste, should be brought in over the heads of people of the province?—I never gave that instance with the object of showing that we should get men from other provinces. I only said that in Baroda there were two different classes of the same Hindu community, and that there was not always fair dealing between the Decanni and the Gujerati. I believe it is within the cognizance of everybody who has had experience of Baroda.

48080. You recommended to us something that was being done in Baroda which I gather was that for the higher posts in the province, which mainly consisted of Gujeratis, the proper thing was to bring people from other provinces and put them into high office?—That was not the drift of my answer. I wished to convey that where one community is too much represented and another community has no chance there is likely to be injury to members of the unrepresented community.

48081. You say in answer to question (5): "I therefore suggest that, while allowing free competition for a number of posts out of those which I would reserve for a special examination in India for nominated candidates, the rest should be open to a limited competition only among such

communities as the Mussalmans, the Rajputs, the Sikhs, the Mahrattas, and the Domiciled Community." I understand the latter part of it, but for what communities would you have the first part?—For every community throughout India. All the Natives of India.

48082. What I want to know is, for that first portion, would you allow Mussalmans, Rajputs, Sikhs, Mahrattas, and the Domiciled Community, to compete?—Yes.

48083. So that, taking the instance given by Lord Ronaldshay, out of 10 candidates for six places you would make all Indians, Mussalmans, Rajputs, Sikhs, Mahrattas, &c., indifferently compete?—Yes.

48084. And for four you would make only these people compete?—Not these only. These are only certain instances I have given.

48085. Are not these two proposals of yours exclusive of each other?—No. The second is exclusive of part of the first. The limited competition is to be limited. The other competition is to be open to all.

48086. You include these people of other communities who are to be allowed to appear, so that a Muhammadan would be permitted to appear for all the 10 chances, but a Brahman could only be permitted to appear for the six?—Because if permitted he is very likely to get more than the six.

(Adjourned for a short time.)

48087. (*Sir Murray Hammick.*) I think you have made one mistake in your figures in answer to question (44). You say that there were no less than 690 superior posts sanctioned on the 1st of July 1912, while the sanctioned inferior posts were no more than 269?—Of course there were a great many more inferior posts than that. That is the number of inferior posts which were posts above the lowest grade of assistants, 39 per cent. There is a large number of inferior posts besides that, *i.e.* the leave reserve and training reserve. The leave reserve is 40 per cent. and there is a training reserve of 15·5 per cent., bringing up those posts to 651. That is why I say 94·5 per cent. of superior posts.

48088. I should like to ask where you got your information from when, in answer to question (50), you say that European members of the Indian Civil Service who are junior to Indian members do not like to serve under them in the district? My own experience is from the Province I come from, and there I have had a great deal of experience as Chief Secretary for several years, and I never heard a single complaint from a European officer. In fact, I think the general idea was that junior officers rather preferred to serve in a district which was under an Indian Collector?—My experience on the subject has reference particularly to the United Provinces.

48089. Did any European officer ever complain to you?—No European officer, but the Indian officers did.

48090. In what way did the Indian officers complain to you?—When they were transferred to a district as Collector, they found the juniors requiring leave or transfer somewhat suddenly and unexpectedly.

48091. They complained when they were posted to a district that the junior English officers suddenly found that they were ill or wanted to be transferred to other districts?—Yes. I believe the returns of the United Provinces would throw a considerable light upon the matter before the Commission.

48092. It is not my experience at all; it is quite the reverse. In answer to question (59) of the Provincial Civil Service series you say, "As a matter of fact, although the general level has been raised, the conditions of service in India have a tendency to stunt the growth of individuals." What do you mean exactly by that? And then you go on to say, "and giants are much rarer to-day than they were a generation ago"?—That is to say that there is very little chance under the present circumstances to find a man of real driving power and initiative to rise up. There is a dead level of mediocrity in the Service to-day on account of the conditions of recruiting and the conditions of service generally.

48093. Do you mean that the conditions of service stunt a person, or that recruiting does not get in a man who ought to get in?—I mean more that the conditions of service stunt a man.

48094. In what way do they stunt a man more than they did forty years ago?—Forty years ago there was not the same amount of rigidity. Men in times of difficulty and trouble were consulted by members of the Civil Service, and there were men whose opinions were considered much oftener than is done now. The caste feeling of the Indian Civil Service did not prevail to that extent then.

48095. You mean to say that the Deputy Collector of a district is not consulted now as he used to be?—That is my meaning.

48096. Have you any experience leading you to form a proper opinion upon the matter. Deputy Collectors never complained to me?—A newspaper editor is probably in a better position of confidence. What he hears is not overheard.

48097. In answer to question (62) you say, "Opportunities should be given to members of the Provincial Civil Service to spend at least six months within the first five years of their service in England." What sort of advantages would it give them to go to England?—It widens their outlook generally. They become a little less timorous.

48098. I agree that it is advantageous that they should go, I am with you on the subject; but I should like to know what kind of advantage the Government could reasonably give to men who wish to go to England?—I could not tell you without a more direct knowledge of the leave rules.

48099. Do you think if they gave more furlough allowance it would be an advantage?—Yes. I think it should be something of the character of study leave, more or less, though you cannot call it, exactly, study leave.

48100. In answer to question (65) you say, "When they are in charge of a Sub-Division they should be made to feel that it is a fairly independent charge, not subject to the dictation and constant uninformed and petty interference of the Collector." I suppose you have had complaints from these men that they are subjected to these petty interferences by the Collector?—That is so.

48101. As a matter of fact, in the province I come from, for instance, the powers of Deputy Collector inside a sub-division are precisely the same powers which an Indian Civil Service Assistant Collector has in the next division. There is absolutely no difference. I do not see where the "uninformed and petty interference of the Collector" comes in?—The European Assistant Collector, or Joint Magistrate, when he is in charge of a sub-division is considered as a colleague more than a subordinate; and a great deal more deference is paid to his opinion when he deals with a scheme of the Public Works department, or the Sanitary department, and he stands on terms of equality with those departments, while the Deputy Collector in the same position is made to feel that he belongs to an inferior service.

48102. That is with regard to other departments?—Mostly.

48103. Do you not think, on the other hand, it often happens that if the Collector, or the Inspector of Schools, desires to get information as to the way in which any administrative change he is proposing will affect the Indians in the province, it is most probable that he has recourse to the Deputy Collector to give him an opinion instead of his English Assistant?—I doubt whether he is often consulted in the matter. The Collector thinks he knows more about Indians than the Indians themselves.

48104. Surely with all your intercourse with Europeans, and Indian Civil Service men, have you not always found that the Indian Civil Service officer, if he is doing some administrative measure, the carrying out of which will affect the Indian opinion in his district, is always most ready to consult his Indian Deputy Collectors as to what they think and as to what their opinion is, although he may not take it. Do you not think that they are most anxious to consult the Indians in their districts?—Not in the provinces with which I am more particularly acquainted.

48105. (*Mr. Tudball.*) These are the provinces with which you are most intimately acquainted?—Yes.

48106. In answer to question (65) you say, "During the anxious times of religious festivals of the Hindus and the Muhammadans, I would consult the Hindu and the Muhammadan Deputy Collectors freely." Is not that as a matter of actual fact habitually done?—Not to a large extent according to my knowledge.

48107. What is the extent of your experience in the matter? I also speak from experience. Though I am now a Judicial officer of 13½ years' standing I was an Executive officer, and I know that the thing which you are putting forward in this answer was common in my time and was done habitually. I was directed to do it by my senior officers and I did it?—It depends upon the individual officer.

48108. Do you think that the majority of the responsible officers like District Magistrates and Collectors are so rebellious against the Government that they would not carry out the orders and directions?—It is not a question of conscious revolt against Government but a subconscious tendency to think that after all it is the "affair of the sahibs."

48109. Not in a matter of religious festivals. The first thing a Collector does is to get the people on both sides to come, and he does his best to get matters settled amicably. That, surely, after all, is the line of least resistance?—He consults the people of the district, but not to the same extent the Deputy Collectors.

48110. I will quote the instance of Raja Jai Krishan Das?—I do not know him.

48111. Do you remember the disputes between the Hindus and Muhammadans at Aonla in the early nineties?—I was too young to remember the details of the affair.

48112. Would you be surprised to hear that Raja Krishan Das was put in sole charge of the place, and that the matter was left entirely in his hands, and that things succeeded very well: is not that an instance in which the Deputy Collector was utilized with good effect? Surely you could quote not one but hundreds of such instances in this province?—The information I have received from Deputy Collectors does not bear that out.

48113. From how many Deputy Collectors have you received the information?—In the course of the last ten years I have heard it from 60 or 70 Deputy Collectors.

48114. In answer to question (50) you say "So far as I know, no Indian has ever been permanently posted as a Commissioner of a division." Again, I suppose you are speaking with reference to these provinces?—I am speaking with reference to every province in India.

48115. Do you know Mr. Gupta?—I do not think he was a permanent Commissioner.

48116. But he was higher than a Commissioner? He must have passed through the Commissioner's grade?—I do not think he was a permanent Commissioner.

48117. Have you heard of Mr. R. C. Dutt?—Mr. R. C. Dutt was not made a permanent Commissioner. I was told by him that he retired because he had no chance of being made a permanent Commissioner. He was the kind of man who would have made a very excellent Secretariat officer.

48118. You have recommended a uniform pension of Rs. 400 a month for the Provincial Civil Service?—Yes.

48119. To be paid after a service of not less than 25 years?—Yes.

48120. Irrespective of the grade the officer was in?—Yes.

48121. At the present moment his pension depends upon the amount of the salary he draws?—Yes.

48122. So that you give a fixed pension?—Yes, on the same lines as the Civil Service.

48123. He would contribute nothing to that?—No. That is why I put it so low as Rs. 400.

48124. (*Mr. Kanhaiya Lal.*) In the course of your written evidence you have advocated the claims of the Provincial Civil Service to better salaries, better prospects and better leave rules, for which the whole Service would be thankful to you; but at the same time you have described the service in several places as a "Pariah Service," which would be regarded as an insult. I have no doubt you did not mean it as an insult

but the expression is likely to be resented?—I did not wish it to be so.

48125. Your meaning is that it is an inferior service?—The expression was used by Mr. Dadabhoy Naoroji.

48126. Supposing the expression was used by a witness before the last Public Service Commission, is it desirable that that expression should be repeated after the service has been reconstituted on a higher basis according to the recommendations made by that commission?—I have put it in inverted commas.

48127. Is it fair that the Service should be still stigmatised as a "*Pariah Service*" on the proceedings of this Commission manned as it is largely by young men of respectable families, with the danger of the expression being repeated before other Public Services Commissions?—I wish to say that it is due to the conditions of the Service and not with regard to its own merits. Its merits are very much more than pariah.

48128. Pariah means untouchable?—He is part of the depressed classes of India.

48129. Would you delete that and substitute the word "inferior"?—If it will suit the Service I am quite open to do it. I will do anything in that direction which will suit the Service so long as it will carry the meaning that they are a depressed Service. I should be only too glad to delete it throughout.

48130. (*Mr. Fasih-ud-din.*) I find you say that the knowledge of the vernacular by members of the Indian Civil Service is very inferior?—Yes.

48131. You also say in connection with your answer to question (30) that the junior Civilian should require training in consultation with some Indians?—Yes.

48132. Training in the knowledge and ways of the people and the conditions of the country? May I suggest one plan to you. Do you consider it feasible? I hear it is actually adopted in Bombay and in other presidencies—that the junior Civilian should be put under training for one or two years under a senior Deputy Collector in order to pick up a knowledge of the vernacular and the ways of the people; for instance, to be sent out into camp with him for two seasons?—It will have very excellent results.

48133. It will improve the relations between the two services?—Yes, I should think so.

48134. You suggest that there should be an improvement in the status of Deputy Collectors, and you make certain general remarks in your answer to question (65). May I ask you whether you are in a position to make any specific suggestion about raising the status of Deputy Collectors, for instance empowering the Sub-Divisional Officers to employ certain clerks drawing a pay of Rs. 30 a month, or giving them a place in the warrant of precedence?—On those general lines, I think, something may be done.

48135. In answer to question (18) you say that a member of the Provincial Civil Service when he is appointed to a listed post is very often under the influence of European subordinates?—Yes.

48136. Is it due to the fault of the man himself, or is it due to the want of any arrangements for giving him a training in the superior posts?—He is entirely the creature of system. He has capacities for something better than that.

48137. If the system were changed and the young member of the Provincial Civil Service were put into higher posts oftener than is the case now, would he improve?—Most certainly.

(The witness withdrew.)

RAI BAHADUR CHAUDHRI MAHARAJ SINGH, Deputy Commissioner, Hardoi.

Written answers relating to the Provincial Civil Service.

[As I belong to the Executive branch of the Provincial Service and can claim no intimate knowledge or experience of the Judicial branch, my references to it will be naturally short.]

48138. (1) Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general principles of recruitment, as laid down by the Government of India in their Resolution of the 19th August 1910, are based upon the enquiries and recommendations of the Public Service Commission of 1886 and are suitable.

48139. (4) Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation.

48140. (6) What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—[4 & 6]—A period of over 25 years has since passed and the provinces have made a good deal of progress in the interval. The work and responsibilities of the Executive officers of the Provincial Service, in all branches of administration, have greatly increased, and become diversified, and with the progress of education, the field of recruitment has been considerably enlarged.

The detailed rules framed by the Local Government in the application of the said principles may be conveniently considered here. Under such improved circumstances, it strikes me, that the Local Government can now insist on a University degree as the prescribed preliminary standard of education. I next proceed to discuss the different systems of recruitment adopted, from time to time, by the Local Government. Broadly speaking, the two main systems are nomination and preliminary examination test. The latter was hardly ever tried, except in the short-lived scheme introduced by Sir Antony (now Lord) MacDonnell, by which about one-third of the annual vacancies were filled in by competitive examination. Nomination, however, has

always been the sole method of recruitment in these provinces, both for direct appointment and for promotions from the subordinate grades. The general principles underlying selection are:—

(i) Maintenance of efficiency of service, by securing the fittest by character, education, natural talents and social position.

(ii) A due representation of all communities and classes of the people.

(iii) Rewarding meritorious and loyal services.

To achieve that end various schemes of nomination were tried and found, more or less, unsatisfactory. The present system, introduced since 1903, being still under trial.

In the matter of promotions from the subordinate grades, on approved services, the field for recruitment itself being poor, in its origin, could not be expected to contribute good men. Persons rising from the lowest ranks of the non-gazetted services could scarcely be expected to uphold traditions worthy of a purer service or bring into it the required freshness of vigour and an unsullied character.

In the case of direct recruitment, too, I am not sure if the principle of choosing the best materials available was always fully kept in view. The field, in early days, was, of course, narrow considering the backward state of education in general, but it has since been sufficiently widened so as to make it possible to secure better men by selection based upon the principles spoken of above.

Appointments by direct nomination, if confined to the test of educational qualifications alone, can afford no guarantee for the selection of the men of suitable type.

A person of high education is not necessarily a good Executive officer. No class or community, of course, can claim a monopoly of talent and aptitude, but it will be hard to deny that one class may be better fitted as a field of supply.

I am, therefore, of opinion that, even if competition is to be the chief machinery of recruitment, in deference to the popular demand, it should not be left to its own working without the application of a safeguard, but in a way that the main object of the efficiency of service may not be subordinated to other inferior considerations. The system I would recommend, on the above grounds, is as follows:—(i) Half the likely vacancies should be filled by competition with much the same limitations as in the scheme of Sir Antony MacDonnell. (ii) One-fourth by selection confined to graduates. (iii) The remaining one-fourth to be filled by promotion from subordinate service.

Candidates for examination should first be selected by nomination and a certain number of candidates appearing for examination, but having failed to secure the guaranteed posts, may be selected to fill in a limited proportion of vacancies among naib-tahsildars. This will result in raising the general tone of the subordinate service and also in widening the field of selection. It is believed that the landowning classes, families which have rendered meritorious and loyal services to the State, and members of the different classes of the community would be able to secure a fair share in the results of the examination. The proposal to give one-fourth of the vacancies to graduates without a preliminary examination test can further safeguard their legitimate claims if they fail to achieve proper representation in the results of the competitive examination.

48141. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All communities and classes are more or less represented as the present cadre will show. The two important communities are Hindus and Muhammadans, and all shades of classes and subcastes are merged into them with the exception of the small, but growing, class of Native Christians and Anglo-Indians. The principle of class representation having been once recognised by Government, there is not much room left for questioning its desirability. The controversy on the subject, however, has already reached the undesirable extent of tension and it is time, if it were possible, to put a stop to it. I am not disposed to discuss the question at length. In my opinion the vexed question of class representation can be settled by showing a firm spirit of fairness in the consideration of all claims on the score of over-representation, minority, backwardness and the state of education. Concessions where they are found necessary on political grounds, may be given, but not in a manner calculated to arouse feelings of undue importance on one side and of jealousy and resentment on the other. The question of selection for higher posts being naturally confined to literate members of each community, it is impossible to fix a rigid proportion in face of the progressive advancement of education all round, nor is it possible to pass over all considerations of the proportionate strength of the respective communities in the total population of the province or of the backward state of education among any of them, if true. The process of regeneration with the Muhammadans, undoubtedly, commenced later than with the Hindus. The latter, from the very beginning of the British rule, devoted themselves earnestly to education in a meek spirit, while the former lost much valuable time by keeping themselves aloof for a long time for causes which need hardly be discussed here in detail. Although the Muhammadans began late, the impetus having been once given by the late Sir Saiyid Ahmad Khan, they have been rapidly gaining their lost ground and are not so backward now as to be unable to hold their own against the Hindus without extra help. Nevertheless, no one can grudge any concessions made to them on political grounds, as long as they are limited to a reasonable scope. The representation of the two communities in the present cadre of the Provincial Civil Service (Executive branch) as it stood on the 1st January 1913 is as follows:—

	Hindus.	Muhammadans.
Deputy Collectors ..	140	119
Tahsildars ..	116	97
	256	216
	or 54·2 and	45·8 per cent.

NOTE.—The figures include "seconded" officers leaving vacant posts out of account.

I have included the tahsildars as they form the field of recruitment for the Provincial Civil Service.

On the test of the percentage of population, the proportion of Muhammadans to Hindus is 14 to 85 and a very wide departure from it should not be allowed in the rateable distribution of posts among them.

48142. (9) What system of training and probation is adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—In the case of probationers, rising from the subordinate service, much training is not needed, but in the case of direct recruits, the 2 years' probation is quite sufficient, provided all the time is utilised in a systematic application. In consideration of the multifarious duties of a Deputy Collector the training given must cover a wide enough range to give him an insight in every branch of administration. A young officer, who is eager to learn, can quickly pick up many things from mere association with his more experienced colleagues. But if left to his own resources, or placed under tutelage with some overworked senior officer, the new recruit is likely to fritter away his time. What is needed is a systematic application of the full period allowed for training. The following course of training commends itself to me:—

1. During the first few months of his appointment, he should be required—

(a) to make inspections of the various departmental clerks and record rooms under the officer who is in charge of the offices;

(b) to record evidence and prepare brief summaries of criminal and revenue cases going on in the court of his colleague, before taking up petty criminal and rent cases independently.

2. During the cold weather he should go out with a Sub-Divisional Officer and learn and share the work of testing village records and minor inspections, etc.

3. He may then be placed under the Treasury Officer in subordinate charge.

So far a period of about a year of his training will be covered.

4. He can then be relieved of his connection with the treasury and may sit in the court of an original civil jurisdiction, to take notes and follow a few cases completely, to mature his experience of Judicial work and learn the court etiquette.

By this time he will also have found time for his survey training and be better equipped for being entrusted with 1st class revenue and higher criminal powers after one more experience of touring with a senior officer. He may now, with advantage, be allowed to attend the Session Court and follow the procedure there.

48143. (12) What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend? (13) In particular is the leave reserve adequate, and the system on which it is graded suitable?—[12 & 13]. The strength of the Executive branch of the Provincial Civil Service is calculated by adding to the number of the tahsil and treasury charges, the number of officers required for casual deputation, as Land Acquisition and Settlement Officers and Court of Wards managers, deducting the number of junior Civilians available for such charges, and adding finally 14 per cent. in the lowest grades as a leave reserve. The system is all right but the units taken as the basis of calculation have been found by experience to be inadequate. As a rule officers are overworked. The work of a Deputy Collector is constantly growing in responsibilities and onerous character. The decentralization has thrown much work of a responsible character on Sub-Divisional Officers. It is found almost impracticable for Sub-Divisional Officers, in most districts, to carry on the work of the Secretary, District Board, efficiently, in addition to their own, and in all districts to give adequate attention to partition work, both of which really require a separate whole-time officer. One Partition Officer in all districts and a whole-time Secretary in more important District Boards should, therefore, be added to the cadre.

48144. (19) Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest? (20) Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—[19 & 20]. On the subject of selection for higher appointments, in the present state of transition in India, no sane person of ripe experience would deny that it is neither desirable nor politic to throw open a very large number of higher appointments reserved for the Indian Civil Service to Indians. In other words, while service in the higher grades must still be manned by Europeans, the legitimate ambitions and aspirations of Indians, on the contrary, should also be respected. They are the natural outcome of the English system of education and cannot be ignored. At the present stage, I should think, the Indians would be satisfied if, besides giving a still larger number of superior appointments in the Judicial branch and some additional posts of District Officers to the Executive branch, some more of the minor posts, hitherto reserved for the Indian Civil Service, were also opened out to the Provincial Civil Service. The Indians, at present, are freely allowed to hold charge of sub-divisions or tahsils and a certain number of the posts of Joint Magistrates has been merged into the cadre of the Provincial Civil Service. The complaint, however, is that this has not raised the present status or prospects of their service in the least. I would suggest that a grade of Indian Joint Magistrates should be created over and above the present grading of the Provincial Civil Service, and only selected men, who have proved their fitness, should be promoted to it irrespective of seniority and pay. The new grade is intended to be a stepping-stone to the post of District Officers, to enable the officers selected to have a chance for training under experienced District Officers so that they may find no difficulty when they are placed in charge of districts. This grade will also be the recruiting ground for gradual and ultimate throwing open to the

Provincial Civil Service some of the reserved appointments recommended by the Public Service Commission of 1886-7, such as, the 3 Under Secretaries, the increased number of District Magistrates and other higher posts in a reasonable course of time.

The following minor posts, if thrown open, in addition, will, I think, greatly satisfy the Indian aspirations.

1. Deputy Director of Land Records.	(An Indian, knowing the details of the working of Land Revenue system, should be successful under the guidance and control of an Indian Civil Service Director).
2. Registrar of High Court.	
3 Registrar of Judicial Commissioner's court.	This was till recently held by members of non-covenanted service and Provincial Civil Service (Executive branch).
4. Assistant Settlement Officers.	Two of these posts have already been transferred to the Provincial Civil Service and a few more can be given to it but, instead of being merged into the cadre, selected Deputy Collectors should be appointed, as such, when settlement operations are going on.

NOTE.—If any of them proves competent he may, in time, be held eligible for a Settlement Officership.

5. Charges of the recognised sub-divisions like Karwi, Kasia, Lalitpur, Mahoba may, also, be thrown open to the men of the Provincial Civil Service.

48145. (23) Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general re-organization effected, and what improvement of prospects was effected thereby?—The information required in question (23) is given in the subjoined table:—

Grades.	1890.	1900.	1912.	Remarks.
1st grade ..	3	4	4	Two posts have been filled up by transfer of two 1st grade Joint Magistracies to this grade.
2nd „ ..	4	5	6	
3rd „ ..	8	9	12	
4th „ ..	18	21	35	
5th „ ..	29	40	52	
6th „ ..	26	37	55	
7th „ ..	19	22	58	
Probationary Deputy Collectors.	..	..	27	
Total ..	107	138	249	

The general opinion, among the officers of the Provincial Civil Service (Executive), is that the diverse schemes of re-organization given effect to, from time to time, have never met the full requirements, and that the status and the prospects of the service, in consideration of the responsible and heavy duties devolving upon it, were not improved in a manner so as to place it in a favourable contrast even with other services of less importance and responsibility. Short references to the different schemes may not be out of place here.

It was, perhaps, in the eighties that the Oudh Commission was abolished and the services of the two provinces (N.-W. P. and Oudh) were amalgamated. The Lieutenant-Governor and Chief Commissioner was pleased to recognise that a considerable responsibility of administration depended upon the zeal, ability, and experience of this branch of the service and it was, therefore, admitted that it was necessary to improve its prospects. Nevertheless, the result of the grading then made did not effect any material improvement of prospects. The number of posts, in the highest grade of Rs. 800, was reduced to half, although a new grade of Rs. 700 was introduced. Three posts from the first grade were, as a matter of fact, brought down to the new grade with an addition of one new post, the material increase falling in the intermediate grades. The total strength was fixed at 107 for the two amalgamated provinces. This happened in 1882. It was proved to be totally inadequate as the experience showed, and had to be supplemented from time to time until the next re-organization of 1894, which resulted in the addition of only 31 posts, notwithstanding the fact that the growing wants of the administration required much more. The strength of the cadre, thus, rose up to 138.

This was again found to be utterly inadequate by the still growing needs of the progressive provinces, and nine years after a 3rd re-organization was made in 1903, when the number of permanent posts was raised to 211, which, by the addition of 25 Probationary Deputy Collectors, amounted in all to 236. A further addition of thirteen posts was made in 1907.

The strength of the service, at present, is thus:—

222 ... Permanent posts;
1 ... Temporary appointment of an Assistant Registrar, Co-operative Credit Societies, United Provinces;
and 28 ... Probationers.

Total 251

Even this has been found inadequate and yet another re-organization scheme, proposed by Sir John Hewett for a large addition to the cadre and an improvement in the scales of pay, is now under consideration.

Throughout these changes the prospects of the service, in the matter of pay, have not improved. The increase in the number of posts has been mostly confined to the lower grades, proportionately reducing the percentage of posts in the higher ones. There has been thus no improvement at all in the prospects.

The opening of the "listed" posts in the Provincial Civil Service has mostly benefited the Judicial branch. They have received eight Judgeships, and four posts carrying a salary of Rs. 800—1,000, against only two posts of Collectors, and one post of the Junior Secretary to the Board of Revenue, in the Executive branch.

The Executive branch of the Provincial Civil Service finds another cause of complaint in the fact that the selection, at present, for Assistant Sessions Judgeship is not extended to them, even if men of their cadre possess the requisite qualifications of a Law Degree, and extensive experience of criminal work.

In my remarks relating to "Conditions of service" I have suggested the creation of a grade of Indian Joint Magistrates over and above the cadre. The pay of these posts may

range over three scales of Rs. 650, 850 and 1,000, and their number be adjusted so as to bring the Executive branch on the same level with the Judicial branch in all grades, and thus remove the legitimate grievance of a hard-worked service.

48146. (25) Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I would strongly advocate the grant of acting allowances to officers of the Provincial Service officiating in higher grades as is the case with other services.

48147. (39) Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian services as suitable? (45) To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—[39 & 45]. The Indian long leave rules are not elastic—more freedom should be allowed to enable officers to avail themselves of whatever furlough may be due to them at any time. They may also be permitted to count furlough in India towards pension up to the limit of two years in a service of 20 years. Approved candidates for Deputy Collectorship may be freely utilized to officiate in place of officers going on short leave. They are often unable to secure leave for want of such a facility.

48148. (42) Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—The inefficient officers are undesirable burdens to the State and the sooner they are got rid off the better, even if an extra cost has to be borne. I approve of retiring them on reduced pensions.

48149. (43) Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—The pay of Indian officers appointed to "listed" posts is calculated at nearly two-thirds of the pay of the same posts held by the officers of the Indian Civil Service. The limit of pension for the latter service is Rs. 15,000, annually, and in the same proportion the maximum of pension for Indian officers retiring from "listed" posts should be Rs. 10,000. If the throwing open of the "listed" posts to Indians is intended to raise their status and admit them to the privileges of the Indian Civil Service, it is very hard on the Indian officers that the advantages they have in the matter of their pay are withheld from them in the matter of pension.

Logically the Indian officers have as strong a claim for two-thirds pension as for two-thirds pay.

48150. (44) Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The rules regarding compulsory retirement may be made more effective by applying the Indian Civil Service rule of 35 years. Retirement after 55 years of age with 30 years' service should invariably be insisted on and voluntary retirement after 25 years' service may also be permitted.

48151. (47) Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—The existing rules governing the Provincial Civil Service compare very unfavourably with those of other services. This distinction ought to be removed.

RAI BAHADUR CHAUDHRI MAHARAJ SINGH called and examined.

48152. *(Chairman.)* You are an officer of the Provincial Civil Service holding a listed post as Deputy Commissioner?—Yes.

48153. You are also a member of the Legislative Council of the United Provinces?—Yes.

48154. For how long have you held a listed post?—For about twenty months.

48155. In your answer to question (6) you say that for a short period in these provinces the Provincial Civil Service was partially recruited to the extent of one-third by competitive examination?—Yes.

48156. Can you tell us how this was managed, and what the limitations were then?—I have not got the details here, but as far as I recollect, there used to be a competitive examination, and the candidates were selected by a committee.

48157. Do you think that was a satisfactory form of recruitment?—Yes; more or less it was satisfactory, and I have modelled my recommendation on the same lines.

48158. Your recommendation is that half the annual vacancies should be filled by competition, from amongst candidates who have first been nominated, and one-fourth by selection from amongst graduates, and one-fourth by selection from the subordinate service?—Yes.

48159. You would like this one-fourth nominated and, as far as possible, to be selected from the land-owning classes, would you not?—Yes.

48160. What form of nomination would you like to see instituted?—Names may first be received, and then there may be a committee who may select the persons first with respect to their physical fitness and social position, and then they may be allowed to compete.

48161. Would you suggest that they should retain the educational standard of the University?—Yes.

48162. What test would you put them through as far as their University qualification is concerned?—They should be graduates.

48163. What kind of body would you suggest should form the nomination board: how would it be composed?—The committee may be presided over by the Senior Member of the Board; and

consist of a Commissioner, a Collector and a Provincial Service officer and two non-officials.

48164. You draw attention to the class representation in the Public Services?—Yes.

48165. Can you tell us in what way this is showing itself at present?—The Government, while making selections, takes into consideration the representation of the different communities.

48166. You say there is tension?—There is tension between the different communities. The different communities say that they are not represented; that they do not get their proper share.

48167. From what you say you would press for the Muhammadans receiving a smaller share of State patronage?—The Muhammadans say that they receive a smaller share. I have not said so. I think they receive a sufficiently large share.

48168. You are satisfied with the share they receive?—Yes, they have been receiving a sufficient share.

48169. You would not care to see it altered?—No.

48170. You speak of the overwork of the officers, and suggest an increase of the cadre of the Provincial Civil Service?—Yes, I have said about one district board secretary should be added in every district.

48171. How many appointments do you suggest should be added to the cadre to meet the present situation?—In every district it is not possible to have a non-official secretary. It may be possible in big districts; but in smaller districts it is not possible.

48172. Will you please answer my question? You say there is over-work in your district. Could you tell us how may officers you would suggest should be added to the staff?—There are forty-eight or forty-nine districts. I would exclude about twelve districts. You would thus require one for each of the remaining districts.

48173. You suggest the addition of one in each district?—Yes, to act as a whole-time Secretary, District Board.

48174. You suggest a new grade of Indian Joint Magistrate?—Yes, to act as a whole-time Secretary, District Board.

48175. And you would pay them salaries ranging up to Rs. 1,000?—Yes.

48176. Would these officers be the same with regard to their functions and their powers as the Additional District Magistrate?—They would be the same.

48177. Does a Joint Magistrate have any powers in excess of a first class Magistrate?—No, I do not suppose so.

48178. You complain that the benefit of the listed system goes in the main to the Judicial branch of the Service, which also has a monopoly of the Assistant Sessions Judgeships?—Yes.

48179. Which line is the most popular in the Provincial Civil Service, the Judicial or the Executive?—At the present time the Judicial Service has better prospects, and it would be more popular, naturally.

48180. You would like to see the Executive have better prospects to correspond with the Judicial?—Yes.

48181. You say that logically an Indian officer holding a listed post has as strong a claim to the two-thirds pension as for two-thirds of pay?—Yes.

48182. Have you taken into account that such an officer has spent the major part of his service in lower paid appointments. Does not this make it difficult to make a comparison with the Indian Civil Service officer?—Yes.

48183. You ask for compulsory retirement after 55 years of age?—Yes.

48184. Are there many instances of officers being given extensions beyond this age?—A fairly large number of them get it.

48185. You have not got any figures which you can give us with regard to that?—No.

48186. Are there many Honorary Magistrates in your district?—Yes.

48187. What are their powers?—Generally, third-class powers. Some of them have second class powers. Two of them have first class powers.

48188. Most of them have third class powers?—Yes.

48189. *(Sir Murray Hammick.)* You would like to see only one-fourth of the Deputy Collectors' posts filled up by promotion from the lower appointments from tahsildars, I suppose?—Yes.

48190. Would you say about how many are promoted from tahsildars now, and what the proportion is now?—Now the proportion is one-half.

48191. Would you reduce it to one-fourth?—Yes.

48192. Do you think if you did that, if you reduced the number of promotions from the tahsildars to the Deputy Collectors from one-half to one-fourth, you would make the recruitment of proper persons to be tahsildars much more difficult than it is now?—My idea was to allow facilities in the recruitment of Deputy Collectors.

48193. What I want to know is whether, if you reduce the number of promotions from the tahsildar's grade to the Deputy Collector's grade, you will not make it very much more difficult than it is now to get good men to go in to be tahsildars or naib tahsidars?—It would have that effect.

48194. Looking to the importance of the tahsildar's work in this province, do you not think you should be very cautious before you reduce the attractions of the tahsildars' appointment?—Yes. But I have recommended that naib tahsildars might be taken from graduates. In that way we will have better men and then this proportion may, later on, be increased to full half, as now.

48195. Would you get graduates to take up naib tahsildar's appointments if they knew that only one-fourth of the whole number of the tahsildars would ever be Deputy Collectors?—I am willing to change this proportion by and by.

48196. You think it would have a deleterious effect upon the recruitment of the tahsildars?—It would.

48197. Do you not regard the tahsildar as one of the most important functionaries in your district?—He is a necessary functionary. I am of opinion that their prospects should be improved.

48198. We are in this difficulty. You would like to improve the Deputy Collectors by recruiting direct into the appointments. On the other

hand, you do not want to hurt the tahsildars by reducing the number of promotions to tahsildars?—They belong to the Subordinate Service. My idea was that when their time came the question would be thought out how to improve their conditions.

48199. It has been represented to me by high officers in this province that it will have a very disastrous effect upon the body of tahsildars if we do anything to reduce the attractions of that grade of officer by lowering their chance of promotion to be Deputy Collectors. Do you think that?—I fully agree with that view. My idea is that at the present stage it is difficult to find amongst the body of tahsildars proper and suitable persons for the Deputy Collector's grade. If that field of recruitment is improved I should be willing to change this proportion.

48200. Is it difficult to get good men now as naib tahsildars?—Yes, it is difficult. The prospects are not so attractive.

48201. How many tahsildars have you got in your district at Hardoi?—I have got four tahsildars.

48202. What is the highest pay which any of these tahsildars is drawing?—The highest man is drawing Rs. 200.

48203. They can get Rs. 250?—Yes.

48204. But have you got any man in your district drawing Rs. 250?—No.

48205. What you really mean by the Joint Magistrates is that you want the listed appointments which have been merged in the Deputy Collector's grade taken out of that grade and put again into the grades of the Indian Civil Service. Is not that what you want?—Yes.

48206. So that instead of being a Deputy Collector on Rs. 600 he might be put at once to be Joint Magistrate with a chance to rise up to Deputy Commissioner or Collector?—Yes, when I thought these posts were already merged in the cadre of Deputy Collector I proposed to have a separate grade of Indian Joint Magistrates. It amounts to the same thing.

48207. How many years' service have you yourself put in?—Twenty-seven years.

48208. Did you begin as a tahsildar?—I was appointed as Honorary Deputy Collector.

48209. You were brought straight into the Service as Deputy Collector?—Yes.

48210. By nomination, I suppose?—Yes, by nomination.

48211. (*Mr. Chaubal.*) In answer to question (8) you say: "The principle of class representation having been once recognised by Government there is not much room left for questioning its desirability." May I ask you whether, in your own opinion, you consider it to be desirable or undesirable that the principle of class representation should or should not be recognised?—If the efficiency of the Service is the chief object then, of course, no such principle should be taken account of. But on account of the feelings and the claims of the different communities the Government has recognised it, and I have no objection to it.

48212. You mean that because Government has recognised it you do not want to dispute it?—It is necessary in these provinces.

48213. Is the proportion you have given of Hindus and Muhammadans, of Deputy Collectors and tahsildars, in accordance with the population of this province?—Yes, it is in accordance with the population of this province.

48214. Do you know what the proportion of the Hindu population is to the Muhammadan population in these provinces?—I have stated it somewhere in my written answers.

48215. I find the proportion is really almost one to six. If you take that proportion, the number of Muhammadans in the Executive Service is far more, as compared with the population, is it not?—Yes, according to that proportion.

48216. You say that the Judicial Service has better prospects as compared with the Executive Service?—Yes.

48217. But the Judicial officer has got to go through longer training, has he not, before he gets into the Judicial Branch; he has got to go through a technical legal education and pass Law examinations?—In the Deputy Collector cadre also there are persons who hold Law degrees, going through the same training before they come in Service.

48218. If there are any Law graduates in the Executive Service, it would be open to them to accept one Service or the other, and they have chosen for the Executive Service?—Yes.

48219. But they might not have been Law graduates to enter the Executive Service?—There is no compulsory test there.

48220. Therefore when you say that there are larger prospects in the Judicial Service at the present, they are prospects enjoyed by persons who are bound to have a more expensive education?—They prefer that line because the prospects are better.

48221. In answer to question (20) you say with regard to the Assistant Settlement officers "Two of these posts have already been transferred to the Provincial Civil Service and a few more can be given to it; but instead of being merged into the cadre, selected Deputy Collectors should be appointed as such when settlement operations are going on." I do not quite follow that. Are those four posts merged into the Provincial Civil Service?—Yes.

48222. Do I understand you to mean that those four posts should be kept separate from the Provincial Civil Service cadre and that fit men should be at once appointed to those posts?—These posts already belong to Deputy Collectors, and the Deputy Collectors have been enjoying the powers of Assistant Settlement officers; but if they are taken out and treated as listed posts, my idea is that some of them who do good work, and are fit, may be made Settlement officers.

48223. You think they should form a separate post by themselves to which men from the Provincial Civil Service should be selected?—Yes.

48224. Would you attach any conditions of salary to those posts: should the pay of those posts be higher than the post of Deputy Collector?—I recommend the grade of Joint Magistrate. I would recruit from Joint Magistrates for these posts.

48225. But would the salaries of these four posts be higher than the salary of the first grade Collectorship?—No, it need not be, because the grade of Joint Magistrates by itself would be a

separate grade in which the salary would range from Rs. 650 to Rs. 1,000.

48226. Should those Joint Magistrate's posts only be held by persons who would be called Settlement officers?—Yes.

48227. (*Mr. Madge.*) In your answer to question (3) you say that a person of high education is not necessarily a good Executive officer. By "high education" do you mean the kind of education which is expected by examination passes in this country?—Yes.

48228. You have said you were not sure that the choosing of the best materials available is always kept in view. What other qualities, besides those of education, was it necessary to take into account in choosing?—We choose them for administrative service especially, and it would require especial qualifications. For example, one of the essentials is 'character,' but it is moulded by home education and social influences and in the case of one candidate these qualities may be of higher rank than with another. Such things make for administrative ability and I had them in my mind.

48229. You were afraid that they were not taken into consideration sufficiently?—Not always.

48230. You have Deputy Collectors serving under you in your district, have you not?—Yes.

48231. Indian Civil Service men or Provincial Civil Service men, or both?—Provincial Civil Service men, entirely.

48232. Do you think in the exercise of their judicial magisterial functions they acquire the valuable experience of the country and its ways?—Certainly they do.

48233. So that if they were now transferred to the Judicial branch, would they be at any great disadvantage?—There are two separate Services. They are not preparing themselves for it. If the two branches of the Service are amalgamated they would be prepared for it.

48234. Supposing they were amalgamated?—At present in the cadre of the Deputy Collectors, as I have just said, there are persons holding Law degrees, like Munsifs and Sub-Judges. So far as legal attainments go, they are equal to the Munsifs and Sub-Judges; but as you think of a transfer to the Judicial line where they will have to do the civil work as well as the criminal work, then a Deputy Collector will have to be trained for civil work as well, whereas at present he is doing only revenue and criminal work; but it is quite possible that he may be trained for that work and may do it efficiently.

48235. In the exercise of his magisterial functions he hears evidence. It is a *quasi*-judicial function in some respects, is it not?—Yes. The Law of Evidence is the same for both courts.

48236. On the Judicial side are there not Subordinate Judges who have had no training in criminal law?—Almost all of them have never had any such training. In this connection I may say that a Deputy Collector has a good chance of making a better Assistant Sessions Judge, or Sessions Judge, because he has the advantage of knowing revenue law and criminal law which a civil officer has not. He moves about a good deal. He comes into contact with all grades of people. He knows their ways and methods, especially the ways and methods of the criminal class; and he would be in a better position to judge the evidence in criminal cases, and eventually he would make a good Judge.

48237. When you use the word "better," do you mean in comparison with Subordinate Judges?—Yes.

48238. (*Mr. Fisher.*) You say in answer to question (13) that decentralisation has thrown much work of a responsible character on sub-divisional officers. Are you referring to the results of the Decentralisation Commission?—In some ways some extra powers have been given as the result of that.

48239. Can you tell me what extra duties have devolved upon the sub-divisional officers in these provinces as the result of that Commission?—For instance, the dismissal and punishment of patwaris is in their hands now. Formerly where Act XX towns used to be administered by the District Magistrate, now the adminstration is entirely given to Sub-divisional Magistrates, and some other minor powers.

48240. You think that a real substantial addition has been made to their work as the result of this report?—Yes.

48241. In your answer to question (47) you say: "The existing rules governing the Provincial Civil Service compare very unfavourably with those of other Services." What other Services were you especially thinking of?—I had in my mind the Post Office, Salt, Revenue, Education, Police, and so forth.

48242. Take the Post Office. In what particular respects do the rules governing the Provincial Civil Service compare unfavourably with the Post Office?—That is about travelling allowances.

48243. That is what you especially had in your mind?—Yes.

48244. How far do the rules compare unfavourably with those governing the educational side?—My answer simply refers to travelling allowances.

48245. Not to the general heading?—As I have said in my reply, I speak of travelling allowances. A Deputy Collector, when he begins to get Rs. 600 or over, under the rules can be classed as a first class officer. He should get Rs. 5 a day as travelling allowances; but under a special rule he is now only getting Rs. 4. This is one disability, for example.

48246. And that is not the case in other cases?—For a first class officer it would be Rs. 5 *per diem*, but there is a special case for the Deputy Collector. But for that rule he would have a first class officer's travelling allowance. He is now getting Rs. 4 only.

48247. Am I to understand that the travelling allowance of a Deputy Collector has recently been reduced from Rs. 5 to Rs. 4?—Not recently.

48248. It is Rs. 4 in the Post Office?—In the case of first class officers according to the rules in other departments they get Rs. 5 per day.

48249. That is the grievance?—Yes.

48250. That first class officers in other departments get Rs. 5 a day, while Deputy Collectors get Rs. 4 a day?—Yes.

48251. (*Mr. Sly.*) Is your proposal that the

special grades of Indian Joint Magistrates, which are to be recruited from the Provincial Civil Service, should be included in the Indian Civil Service?—Yes.

48252. At what age do you propose that these men should be made Joint Magistrates?—That would depend. My idea is that they should be taken sufficiently early to this grade, so that in about fifteen or twenty years' service they may be given the post of District Officer. Otherwise it would be too late.

48253. Would you restrict the appointments of the District Officer and the District Judge to men who were included in these Indian Joint Magistrate grades only?—Yes, in the Executive branch. This grade should be the recruiting ground for promotion to the higher posts of District Magistrates and District Judges.

48254. What do you think will be the effect of this system upon the Provincial Civil Service, under which all the senior men are left without any chance of getting a listed post? Your proposal is that provincial officers should be taken fairly young and put into a special grade of Indian Joint Magistrates, and that promotion to District Officer should be expressly reserved for this special grade so that all the other grades of the Provincial Civil Service will have no chance of rising to the listed posts at all?—Even now the promotion to Rs. 500 is given by selection, and it is only selected officers who get listed posts. Then the principle would be the same.

48255. Supposing one of these provincial officers were selected for an Indian Joint Magistrate's post and proved to be unfit for a listed post, would you revert him out of the Indian Joint Magistrate's grade back into the Provincial Civil Service grade, or would you let him stop?—That would depend upon the nature of his case. If he is utterly inefficient he may be reverted, otherwise his promotion may be stopped.

48256. Do you think that listed posts are really a great attraction in the Provincial Civil Service? Does the Provincial Civil Service look forward to having more listed posts?—Yes, I think so.

48257. If all the listed posts were taken away from the Provincial Civil Service, would that be felt as a great grievance and a reflection on the character of the Service?—Yes, it would.

48258. (*Mr. Fasih-ud-din.*) I see you reduce the number of Deputy Collectors recruited from the tahsildar's grade from one-half to one-fourth. Am I to understand that your idea is that the tahsildar gets a taint of the subordinate service, and for that reason it is not desirable to give him a chance with men recruited directly?—That is the idea uppermost in my mind.

48259. I believe you are in favour of competitive examination?—Yes, partly.

48260. Competitive examination combined with nomination?—Yes, and selection.

48261. Why do you introduce this system of selection also?—Why do you say that there should be two doors of recruitment: one by competitive examination and one by selection? When you do not approve of the present method of selection, why do you maintain it in part?—I have put safeguards on my recommendations. The first thing to see is that efficient persons should come in, and this could be done when candidates are first selected by a committee who selects suitable persons, and then allowing them to compete. In this way you will not have unsuitable persons.

48262. What I want to know is this. You say one-fourth by selection, confined to graduates, and the remaining one-fourth to be by competitive examination. When you are of opinion that the present system of selection is not sufficient for the recruitment of the best type of men, and that they should be replaced partly by competitive examination, why would you maintain this present system, even in part, if it is not working satisfactorily, and if it requires to be supplemented by competitive examination? Why do you maintain it in part?—The principle of competition I have introduced in consideration of the demand made by the educated classes. The other two parts of my scheme will cover cases of the claims of families who have rendered loyal service, sons of Government servants who have done good service. These could come in by those doors, and at the same time if there is a deficiency of representation in the competitive examination that deficiency can be equalised by selection.

48263. But you are not in favour of an open competitive examination?—No, not altogether.

48264. The educated classes want an open competitive examination. I believe they do not want to circumscribe it with conditions and limitations?—I have put these safeguards in for the benefit of the Service.

48265. What is your experience about the recruitment of the Judicial branch? Do you think that a graduate who is desirous of entering Government service goes to the Judicial branch because he considers it to be a superior branch, or because he does not find entrance into the Executive branch, and therefore has to fall back upon the Judicial branch and prepare himself for the LL.B.?—The prospects are also better, and, at the same time, he has better facilities to enter there.

48266. Better facilities to enter there than he has in the case of the Executive branch?—Yes.

48267. What is your opinion about the judicial work of the Deputy Collector? You have been a Deputy Collector yourself for a long time?—I have been a Deputy Collector doing judicial work during the whole of my service.

48268. Did your Collector interfere with your judicial independence, and did you allow your judicial independence to be impaired by his interference?—I have never had such an occasion. I have always worked independently.

48269. Do you think there is a feeling in the Service that Judicial officers with absolutely no criminal experience are promoted over the heads of Deputy Collectors?—There is a feeling.

48270. Do you think that experience is as necessary in civil work as it is in criminal work?—Yes.

(The witness withdrew.)

BENJAMIN LINDSAY, ESQ., I.C.S., First Additional Judicial Commissioner of Oudh.

*Written answers * relating to the Indian Civil Service.*

48271. No. I.—*Recruitment*—Subject to the proposals mentioned below, I am in favour of retaining the present system of recruitment for the Indian Civil Service by open competitive examination held in England.

I would recommend the re-introduction of a low age-limit and would suggest a return to that prescribed during the years 1878—1891, namely 17—19 years. My principal reason for this proposal is that I am of opinion that the sooner a young man who elects for a career in India gets down to his work in India, the better. The duties are of a special character and have to be performed in strange surroundings and for these reasons it is desirable that the process of accommodation to new conditions should begin as early as possible.

A young Civilian should arrive in India not later than at the age of 22, and making provision for a suitable period of special training which should precede arrival in India, I fix the age for selection at 17—19 years.

The proposal involves the sacrifice of the general liberal education which a full University course is assumed to give. On the other hand, in professional and industrial life nowadays the conditions are continually tending towards greater complexity, and a general education, however liberal, is not an adequate equipment for any career which demands the possession of special knowledge. Special preparation for a professional career cannot, under the present conditions, be deferred till a comparatively late age, and is often begun now in England before the time of leaving school.

The conditions of service in India are on much the same footing as those which obtain in the various professions. The business of administration is becoming more complex and demands an earlier apprenticeship. It is essential that the education of the young man who is to be employed in India should be turned into special channels as early as possible, and his special training may most properly begin at about the age of 18, by which time he ought to have received a training sufficiently extensive to enable him to profit by a further education which bears some relation to the requirements of the career he intends to follow. By way of special preparation for work in India, I suggest the institution of a long period of probation to be spent at an English University. The candidate after selection at the open competition should be required to spend three years at a University in which residence is compulsory. During this period he should receive instruction in law, languages, and economics—all subjects which have a special bearing, and which at the same time would afford a sound education of a liberal nature. One of the principal objections to the system at present in force is that the candidate does not receive a sufficient special preparation. The period of probation is nominally one year; in reality it does not extend to more than eight months. This is far too short a time for the acquirement of any respectable knowledge of law and languages. Another objection to the present system is that it works great hardship in the case of the unsuccessful candidate.

One of the principles laid down by Lord Macaulay's Committee in 1854 was that "the examination should be of such a nature that no candidate, who may fail, shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined."

The youth of 18 or 19 who fails has still plenty of time to prepare himself for some other walk in life. He is still at the threshold of a University career if he desires to go that way, or he can begin at once the special training required for any particular profession. But under the present conditions the situation for a young man of 23 or 24 who fails is a serious one. He has nothing to the good except the general education he has got up to the end of his University life—an education which does not qualify for entry into any special profession. If he is to go on in search of a career he has to embark on a further period of special training for three or four years and to make a start in life at the age of 26 or 27, which is too late. In short it is a very grave objection to the present system that a man of 23 or 24 may find himself adrift, possibly as the result of accident, with no prospect of a livelihood for several years to come. The above suggestions, if adopted, would render necessary an alteration in the system of recruiting candidates from India. The low age-limit which I propose would not suit Indian candidates, for there are not many Indian parents either able or willing to send their children to England at an early age to receive an education which would qualify them to compete at the examination in England.

To meet the case of the Indian candidate, I should recommend a system of selection by combined nomination and examination in India, the selected candidate being required to spend a three years' period of probation at an English University after selection.

The scheme should proceed on lines similar to those laid down for the recruitment of the Provincial Service, the principal object being to secure candidates who are thoroughly efficient and at the same time of good social standing. I also think it desirable to lay down that posts in any particular province should be reserved for natives of that province.

To give effect to these principles it would be necessary to resort to nomination.

As regards the age at which selection should take place, I think the limits might well be fixed at between 18 and 20 years. I suggest these limits as the most suitable as they will catch the candidate at the age at which the Indian youth will ordinarily have obtained his Bachelor's degree, and have afforded evidence of intellectual fitness for selection.

It is, moreover, just as important in the case of the Indian candidate that he should start his official life as early as possible; and, again, candidates of the age suggested would derive the fullest benefit from the three years' probationary

* These answers relate to the questions on pages v—xiv of this volume.

course at an English University and be able to enter on their duties in India at an age only slightly later than that of the candidates from England. With regard to the regulation of the number of vacancies to be offered to Indian candidates I think this must depend on the conditions obtaining at the particular time. While I consider it essential that the character of the Service should remain British, and that to this end there should always be a substantial majority of Englishmen in the Service, I am not in favour of laying down any rigid rule declaring the proportions in which posts are to be held by Englishmen and Indians respectively.

Any rule of this kind will prove embarrassing and will militate against efficiency. In practice the result would probably be that in order to maintain the fixed ratio appointments would have to be given to officers who were not duly qualified. In determining the rate of recruitment for the Indian Civil Service at the present time the principal factor appears to be the number of what are called, technically, "superior posts," the figures for recruitment being based upon the consideration of how many of these posts are likely to be vacant at a given time.

By a similar process each Local Government with a certain number of "superior" posts at its command could from time to time, after a survey of the conditions, determine how many of these posts could suitably be held by Indians and frame its estimates accordingly. A system of this kind is already in use for determining the number of "listed posts" which may be held by members of the Provincial Service.

A scheme for the recruitment of Indians on the lines above suggested would involve practically the abrogation of the present system of promoting members of the Provincial Service to the superior posts and would have to be introduced gradually in the interests of men who are now in the Provincial Service.

On the other hand as the selection of the Indian candidates would, under the scheme I have outlined, be substantially from the same field from which the Provincial Service is now recruited, the latter service would have no legitimate ground of complaint if, in making appointments to the higher posts, preference is given to those who have gone through a long period of probation in England and are therefore more likely to be better fitted for advancement. The Government could still retain power to promote from the Provincial Service in cases of exceptional merit.

In concluding these remarks on the subject of recruitment, I would add that my proposals do not contemplate the exclusion of Indian candidates from the open competitive examination to be held in England. If an Indian candidate whose age is between seventeen and nineteen desires to compete in England he should be at liberty to do so.

48272. No. II.—*Training and Probation.*—I have already explained in my notes on the subject of recruitment that I advocate a three years' special training between the time of selection and the time of arrival in India. The general education of candidates, whether English or Indian, should end after the examination for selection, the three years' period being devoted to the study of such subjects as will give a special preparation for work in India. The period should be the same for all candidates and, as already said, should be spent at an English University in which residence in college is compulsory. Residence is essential if the candidate is to derive the full advantage of University life and discipline. I do not favour the establishment of any special institution for providing the training of probationers. The Universities of Oxford and Cambridge are in a position to arrange for the special instruction which is required and for the necessary superintendence of studies. It would be far more profitable to the candidates to mix in the larger society which a University provides than to spend their time of probation in the narrow surroundings of a special institution. Each candidate should be given an allowance of £150 a year subject, of course, to evidence that he had been making good use of his time. For this purpose the former system of periodical examinations should be restored.

As regards the course of studies, I should adopt generally the curriculum which was in force in 1891, but would suggest the inclusion of ethnology as a suitable subject, as also the study of the system of administration as expounded in works like Ilbert's *Government of India* and Baden Powell's *Land Revenue Systems*.

The course in law should be extensive and directed mainly to the acquirement of a sound knowledge of legal principles, and should include instruction in the practical working of the law. For this latter purpose the former system of requiring attendance at the law courts and the reporting of cases should be revived. The course should also provide for instruction in the Indian law of procedure and in the elements of Hindu and Muhammadan law. With reference to languages, I have no doubt that an adequate preliminary training can be provided at the English Universities. The study of one of the classical languages should be compulsory and in the case of the vernacular languages colloquial instruction should be insisted upon. The text-books used should be of a modern type. The language of some of the books which used to be set is antiquated and useless.

I do not think it is necessary to prescribe any different course of study for Indian candidates. They would of course have a considerable advantage in the matter of languages, a circumstance which might well be taken into account in marking at the various periodical examinations. Subject to this the course of instruction and the standard of knowledge required should be the same for all.

As for training after arrival in India I know of no better system than that followed at present. The newly appointed Civilian should be brought into touch at once with practical work in the districts. Given a scheme of probation such as has been described, the junior Civilian will have had all the theoretical instruction he requires and there is no need to provide any further instruction of this kind in India. I should like to see the present system of departmental examinations abolished as far as possible; but under present conditions, with an insufficient period of special training at

Home, it must be retained. It would be enough in the case of Civilians who have gone through a three years' course at Home to prescribe a simple colloquial test in the spoken language of the province, together with a simple examination in accounts. At a later stage a particular examination in law might be set for those who are intended for employment in the Judicial branch of the service.

48273. No. III.—*Training for the Judicial Service.*—I am not in favour of any separate method of recruitment for the Judicial branch of the Service. I believe that, given proper arrangements for training, the present system can be made to produce better judicial officers than could be had under any other method of recruitment.

The first thing that is needed is the complete separation of the Executive and Judicial branches of the Service. The time has long gone by when it was possible to transfer executive officers of senior standing to the Judicial branch without serious detriment to efficiency; nor is it any longer correct to regard the Judicial department in the light of an inferior branch of service in which incapable or inefficient officers may most suitably be employed.

Judicial work is now of a highly technical and specialised nature. Legislation has gone on apace, the legal profession has increased in numbers and in ability, cases are more hotly contested, and a Judge's work is scrutinised by the superior courts to an extent which was unknown a generation ago.

To meet these altered conditions we require now a judiciary equipped with an extensive and particular knowledge of law, which can only be acquired by a regular apprenticeship begun in the early years of service.

In many ways Judicial Service is not attractive. The work is intensely laborious and monotonous, and the prizes are few when compared with those which are within the reach of men who select the executive line.

It is essential therefore, in the interests of efficiency, that men who join the Judicial branch in the early years of their service should have a definite assurance of promotion and that they should not be superseded by having executive officers of senior standing brought into the judicial line over their heads.

Another thing that is wanted is a more vigorous application of the principle of selection by merit. There is a tendency, I think, to attach too much weight to the claims of mere seniority.

Selection for the Judicial Department might most appropriately begin about the sixth year of service.

Up to that time the junior Civilian can most profitably be employed in ordinary district work. A sound training in revenue law and practice is indispensable, for in the course of judicial work there is a constant need for the application of knowledge of revenue matters.

Further, the out-door work of the revenue officer in the cold weather is a most valuable means of acquiring knowledge of the people, their customs, and language.

At the end of five years' service the junior Civilian should be put to the trying of petty civil suits, work which he could carry on along with his criminal work as a Magistrate. And after some experience of civil work of this nature he could be advanced to the trial of civil suits of higher value. It is absolutely necessary in my opinion that there should be a substantial course of training in original civil work before an officer is promoted to a District Judgeship in which his functions are those of an appellate civil court.

An officer who has gone through a three years' course of law in England, and who has, after joining the Service in India, been subjected to the practical training which I have suggested ought, in my opinion, to make as good a District and Sessions Judge as is wanted.

I am not opposed to a system of study leave for those who have joined the Judicial branch. A course of reading in the chambers of a Barrister in large practice in England would be a valuable supplement to the knowledge and experience already gained in India.

A course for call to the English Bar would not, in my opinion, be of any utility, for the instruction in law given during the three years' period of probation which I advocate would already have qualified the young Civilian to satisfy with ease the very moderate tests which are prescribed in England for a certificate of call to the Bar.

48274. No. IV.—*Conditions of Service Salary, etc.*—I think it highly desirable that promotion to the higher posts in the Service should be regulated by merit more strictly than it is at present. A more rigid system of selection should be adopted, and in order to enable this to be carried into effect it is necessary that power should be taken for the compulsory retirement of inefficient officers.

It is a mistake to retain in the Service an officer who has proved unfit for advancement, and, in particular, to allow an inefficient officer to remain on after he has completed the term of service which has qualified him for a pension, that is to say, 25 years under the present regulations. But I would go further and give power to Government to retire on a proportionate pension an officer who has proved unfit before he has put in his time for full pension.

I am strongly of opinion that the present system of uniform pensions is wrong in principle.

A pension, properly speaking, is a reward given by the State for good service, and the amount of the reward should bear some proportion to the nature of the service rendered both as regards duration and quality. It seems absurd that an officer who has served for the required term but who has done nothing but respectably mediocre work should be rewarded on the same scale as one whose abilities have been conspicuous and who has rendered distinguished service. The question of pensions in the Indian Civil Service is complicated under the present plan by the fact that officers while still in active service are obliged to contribute to the pension fund by a deduction of 4 per cent. from their salaries. I should like to see this system of contribution abolished. It works very hardly in many cases, for, where an officer dies before he can retire or

shortly after he has taken his pension, the amount of his contribution, often a considerable sum, is lost to his family and lapses to the fund.

Another result is that an officer who is comparatively inefficient and who has to be kept in the lower-paid appointments receives from the fund the same pension as others who have held more responsible and better-paid appointments and who have contributed to the fund a great deal more than he has done.

I am in favour of a system by which these compulsory deductions should be treated as deferred pay, the accumulated amount, together with interest, being handed to the officer at the time of his retirement or to his family in case he dies before retirement. A separate provision for pension should be made by the State, the amount of the pension being so regulated as to bear some relation to the rate of pay which the officer is drawing before he retires. A system of calculation such as is employed for the regulation of the amount of pensions in the Home Services might well be adopted, though necessarily the scale would be more liberal in view of the comparatively unfavourable conditions of service in this country. On the subject of salary I have but little to say. It is notorious that the expenses of living in India have increased enormously during the last 20 or 25 years, and that a salary which might then have been regarded as adequate is no longer so.

The pinch is being felt severely now, particularly by junior members of the service.

And in these provinces the situation is aggravated by a very serious block in promotion.

I am convinced that the members of the Indian Civil Service have a very strong case for the revision of salaries to meet the altered conditions, and something ought to be done at once to relieve the conditions in the junior ranks of these provinces by introducing a time-scale of pay or by some other expedient.

With reference to the grading of appointments in these provinces, I have only one suggestion to offer, and that is the introduction of a rule for the improvement of the pay of district officers when attached to certain districts of the United Provinces.

It is a fact that some of our districts are much more heavily worked than others, and carry much heavier responsibilities. It is also a fact that the heavier districts have, as a rule, large head-quarters stations where house-rent and other items of living are considerably higher than they are in the smaller stations.

These inequalities should be recognised and compensated by the grant of substantial local allowances to officers who are serving in districts of this description, and I suggest that such allowances be given at the rate of Rs. 500 a month.

I may add that it happens not infrequently that from considerations of efficiency it is found necessary to post District Officers of junior standing to these important charges, and it is particularly hard that such officers should have to discharge more onerous duties and to submit to heavier expenses on the pay of their grades.

As to the conditions of leave, I need only say that I am in favour of the proposals of the Government of India for the simplification of the leave rules which were circulated recently for opinion with this Government's G. O. no. 2188/X—265 of 1912, dated the 12th October, 1912.

Written answer relating to the Provincial Civil Service.

48275. No. V.—*Provincial Service, Judicial branch.*—With reference to question no. (39), I wish to put on record my opinion that the restriction placed upon officers of the Provincial Judicial Service in the matter of privilege leave bears very hardly and ought to be removed. The rule is that by reason of their enjoying the annual civil court vacation of one month they are debarred from taking privilege leave except on half pay. These officers are hard-worked, their duties are monotonous and sedentary, and they could not carry on without the respite which they get during the vacation. It has not been found administratively convenient in Oudh to close the civil courts earlier than the middle of September in each year, and judicial officers have therefore to go on working each year through the hot weather. It would be greatly to the advantage of the Service from the point of view of efficiency if Subordinate Judges and Munsifs could occasionally get away from work during the hot months of the year. Under present conditions they cannot afford to do so. The pay is small and they cannot face the sacrifice of losing half their salary by taking privilege leave. As for long leave, it is hardly ever taken for the same reason, and the result is that many of these officers break down in health. These conditions were brought to notice during the enquiry held in 1907 by the Committee presided over by the late Mr. Greeven; but so far nothing has been done to remove the restriction. The concession of the right to have privilege leave on full pay is a small one and would be welcomed by a most deserving body of officers.

MR. B. LINDSAY called and examined.

48276. (*Chairman.*) You are First Additional Judicial Commissioner of Oudh?—Yes.

48277. Would you tell us how many years of your service have been occupied in the Judicial line?—Roughly speaking, I should say about fifteen or sixteen years.

48278. You have had about eight or nine years in the Executive line, I suppose?—Not all in the Executive. I held some special appointments which could hardly be called Executive appointments.

48279. The recommendations which you have laid before us turn on the reduced age-limit for candidates?—Yes.

48280. You think that young Civilians should arrive in India not later than the age of 22?—Yes.

48281. Accordingly you would recruit at from seventeen to nineteen, and give three years at the University?—A three years' compulsory course.

48282. You attach great importance to getting the Civilian out into this country earlier?—Yes. I think the great consideration is to get the man out here as young as possible.

48283. What are the chief considerations which have influenced you to make that proposal?—The main point which influences me is

that the sooner a man gets to his work the sooner he accommodates himself to his surroundings in the country, and gets to know people, and the condition of things. That, I think, is of great importance.

48284. As such a low age-limit might not suit Indian candidates, you recommend a supplementary system of selection?—I do not think the low age-limit suits Indian candidates.

48285. You think it would reduce the number of candidates going to England?—I doubt whether many would go to England. I do not think Indian people would be keen to send their children to England at that early age.

48286. You would establish an examination here combined with nomination?—Nomination and examination.

48287. Would that examination be an open examination for all India?—I should have it for each province separately.

48288. If you had it for each province separately, I suppose there would be some years when there would be no examination in some of the provinces?—I should not like to say that. With the scheme I propose, I should have thought they would have been able to offer vacancies every year. I could not go into details.

48289. Can you tell us why you recommend a provincial examination as against an all-India examination?—Because I think it is more agreeable to the people to have men of their own province posted to their own province. I think they understand their own people better than outsiders would. I think that is the feeling: at any rate, that is my experience of it.

48290. You think it is important that an Indian Civil Service officer should be posted to his own province?—I should think so. I should strongly recommend that.

48291. I suppose there are many instances of Indian Civil Service officers to-day who are not working in their own provinces?—There must be. We have ten or twelve up here. I do not know how many belong to this province: some of them certainly do not.

48292. Would you say there was any inconvenience to the Administration or to the individual?—I should not like to offer any opinion upon the matter. I know very few of them. I have not been brought into relationship with them. I do not know how the circumstances affect them. I think on the whole it is better to have men in their own province.

48293. The age at which candidates go up for examination would be rather older?—I have made a mistake about that, and I should like to correct myself. I understood that boys could take their degrees out in India between the ages of eighteen and twenty. But I understand now that that is not so. The lowest limit is twenty. I should like to raise the limit from twenty to twenty-two in order to catch the man at the end of his University course.

48294. That would enable him to go to England at twenty-one or twenty-two, and have his three years' probation in England?—Yes.

48295. The men would arrive out in India two years later than before?—Yes.

48296. Do you think this would be a serious disadvantage?—I admit it is a disadvantage. I will not say that it is a very serious one. It is the best thing I can suggest.

48297. You put it in that way because you attach importance to the young Indian taking his degree?—I would not contemplate his taking a degree: I want him to go through a full three years' course of probation.

48298. You would not offer admission to any Indian who had not taken his degree?—If there is any other test you can apply to ascertain a man's intellectual fitness I should not rule that out; but that is the most obvious one.

48299. You say: "A scheme for the recruitment of Indians on the lines above suggested would involve practically the abrogation of the present system of promoting members of the Provincial Civil Service to the superior posts, and would have to be introduced gradually in the interests of men who are now in the Provincial Civil Service?—Yes.

48300. Could you not, as a matter of fact, retain the present listed system with your scheme?—I think the listed system would have to go to a great extent under my scheme.

48301. Why do you say that?—If you recruit these men from the same field as the Provincial Civil Service men are recruited from now, and if you offer them the superior training at Home, I think they will prove to be more suitable for appointment to higher posts than men who have not had that training.

48302. You regard your scheme, coupled with the University training at Home, as a superior form of recruitment to one by promotion from the Provincial Civil Service?—I do.

48303. Assuming that to be so, is there anything which would prevent the retention of the listed post system as well?—Government may retain the power to promote in cases of exceptional merit. I do not want the Provincial Civil Service shut out altogether. They cannot claim however to have the same number of listed posts as they have now.

48304. You would like to see the present system of departmental examinations abolished as far as possible?—Yes.

48305. Would you explain to us the objections which you take to the present system of departmental examinations?—I think all examinations are a nuisance. After a man has been through so many examinations at Home they are looked upon as a great burden. I do not think there is any real justification for them provided you have a proper preliminary training.

48306. You think a preliminary training necessary to equip the young Civilian with a knowledge of the vernacular and of law?—I think so, that is by means of the three years' course which I advocate.

48307. You would suggest an examination in law?—I would suggest an examination in law for those who are to be employed in the Judicial branch.

48308. Would you not have some form of examination in the languages, too, after a certain period of years in India?—I am not in favour of a system of examinations after a man has entered the Service. I think there are too many examinations altogether.

48309. We have had complaints from various witnesses that Civilians are deficient in their knowledge of languages, and that that ought to be part of their training. We want to have all the advice we can with regard to the best form of training. Your proposal is that they should get a thorough grounding in the language in England; would you not suggest something to keep them up to the mark after they get out to India?—It depends upon the degree of the knowledge of the language you insist upon. If a man understands what is said when he is spoken to, and can make himself well understood, that is all you require. Anything after that is a luxury.

48310. You would not suggest anything in the nature of a test?—Nothing more than the test I propose—the colloquial test after joining the Service.

48311. You advocate the separation of the Judicial and Executive branches of the Service?—Yes. I want to keep the Executive Service and the Judicial Service apart, so that a man cannot change from one branch of the Service over to the other.

48312. You want it distinctly laid down that after five years on the Executive side an officer must stick to that line and the same with regard to the Judicial side, after he has made his choice, and that no one ought to be allowed to change from one branch to the other?—Yes.

48313. Have you many instances of men reverting to the Executive side after they have been on the Judicial side?—I cannot remember any cases of that kind. There may have been one or two cases; but it is more frequently the other way. What I would press is that officers join the Judicial branch on the understanding that they are going to get promotion in the regular course. I think it is hard upon them if Executive officers senior to them in standing are put in the Judicial branch and given appointments over their heads.

48314. You want to see appointments in the Judicial line given exclusively to officers who have selected that line?—Yes; and people who have gone into the Executive must stick to the Executive.

48315. You disapprove, on principle, of the present system of uniform pensions, and you make certain alternative proposals, such as the withdrawal of the 4 per cent. deduction and placing it to a provident fund?—Yes, making it a deferred pay system.

48316. By your proposal, the longer an officer remains in the Service, the larger the amount will be to his credit?—Yes.

48317. Therefore, the greater would be his pension?—Yes. If he is worth keeping I do not see why he should not have it.

48318. Would you approve of a proposal which has been made to us that the 4 per cent. deduction should be withdrawn from the pension, and placed to this fund automatically all through an officer's career: and that the pension itself should be reduced?—If you treat the 4 per cent. deduction as deferred pay, I think we should have to submit to some reduction of pension. A man would hardly get £1,000 a year and his deferred pay as well.

48319. You refer to the Provincial Civil Service and the grievances which its members in the Judicial branch have expressed with regard to privilege leave? Do you agree with a view which has been put to us that it would be inconvenient to agriculturists to close the courts in June?—I have never had the case put before me in that way.

48320. Would you favour the suggestion of closing the courts in June?—I should like, on the score of comfort, to close them in June. I do not know how it would work administratively.

48321. That is what I wanted to know?—The reason we have our recess at the time it now is, is chiefly because that period, the middle of September to the middle of October, includes a largish number of holidays, when the courts are always closed. The idea is, I think, that if you had the recess at any other time you would reduce the number of working days too much.

48322. That is largely why it is arranged for in the month of September?—I believe it is kept in the month of September to include the time of the Dasehra holidays.

48323. If you had it in June it would reduce the number of court days in the year?—They would have to have eight or ten days for the Dasehra as well.

48324. Is it your recommendation that Provincial Civil Service officers should obtain both privilege leave and the annual vacation?—I should like to see them get both.

48325. What effect would that have upon the Administration?—I cannot say it would produce any inconvenience. You would have to have a larger leave reserve. We always have a number of candidates for employment who are willing to take up acting appointments on the chance of getting a permanent one later on.

48326. You would have to increase that number now?—We have a fairly long list of candidates now as things are. We have introduced lately a grade of probationary munsifs who would go to make up a leave reserve.

48327. You think it could be done without undue dislocation, and you say there are a number of qualified officers to carry out the work?—I think it might be done. I do not think there is any insuperable obstacle to its being carried out. Taking short leave for a month throws the work out of gear. At the same time, I do not consider that is an overwhelming reason on the other side.

48328. I suppose you propose this on account of the very sedentary character of the work?—On account of the monotonous work, and also on account of the press of work which they have. The subordinate Judicial officers do a great deal of work which is very laborious.

48329. Do you think it impairs their health?—I have every reason to suppose that it does.

48330. Therefore you regard it as an important reform?—I do. I think it would make far greater efficiency in the Service.

48331. (*Lord Ronaldshay.*) You have passed the Degree of Honours examination in both Persian and Urdu?—Yes, I have.

48332. So that you are not open to the charge which has been brought by many witnesses against the members of the Indian Civil Service that they are unable to carry on an intelligent

conversation with an educated Indian gentleman? —I should not like to answer that question. I suppose they are better judges than I am.

48333. I think we may assume that that is the case from the mere fact that you have taken a Degree of Honours in both those languages. The question I want to ask you is this. When an educated Indian gentleman comes to call upon you, do you think, as a rule, he prefers that you should talk to him in the vernacular, or does he generally address you in the English language? —If he is an English-knowing man, he likes to be talked to in English. That is my experience.

48334. He would be rather annoyed than otherwise if you were to start answering him in the vernacular?—I have that idea.

48335. Have you found that your efficiency in these languages has been any great advantage to you as a member of the Indian Civil Service? —Yes, I think I might say it has been.

48336. In what respect?—It gives one facility in dealing with cases. For example, where you have documents to read you can read them for yourself instead of having someone else to read them for you. And there are other ways in which it is an advantage.

48337. On those grounds you advocate making one of the classical languages compulsory in the examination for the Service?—Yes, I should think that would be a great advantage.

48338. You also advocate colloquial instruction to be given in the vernacular. Do you think that proficiency in the colloquial language could be acquired as easily in England as in India?—No, I should not like to say it could be as easily acquired in England, but I think it is possible to obtain it. I did it in my own case at Home.

48339. You do not think it would be desirable to give a good grounding in the grammar of the language in England and leave the colloquial instruction until the recruit came out to India?—I do not see why they should not both go on together.

48340. With regard to what you say about the training of Judicial officers, you make a great point of an Indian Civilian who is going to take up the Judicial side, having a substantial course of training in original civil work before he is promoted to a District Judgeship. When you wrote that, had you in your mind anything beyond the training which I understand can now be given in these provinces through the means of the posts known as Sessions Judges and Subordinate Judges?—These posts are of a comparatively recent introduction. They have only been brought into existence within the last few years. I admit a certain amount of training has been given that way and can be obtained that way. I am not particular how the training is got as long as it is given.

48341. Quite so; but it would be a great advantage to us, if with your knowledge of the system out here, you would give us your recommendations as to the best way?—Up to the time of the introduction of these posts of Assistant and Sessions Judges there was no regular scheme for giving a Civilian any training in civil work. There were one or two appointments in these provinces where men could have original civil work. I held one of the posts myself, so I speak with knowledge. With the exception of these two or three posts there was no provision by which a young Civilian could have any training in original civil work.

48342. Do you think that the creation of these new posts of Sessions and Subordinate Judges is sufficient to achieve the object which you have in view?—I should prefer to see the system which I propose here roughly, carried out; that is to say, to put the junior Civilian on to do petty civil cases, and carry on this work along with his ordinary work. He could do that before he arrives at the stage at which he is fit to be made an Assistant Judge.

48343. You are not opposed to a system of study leave to those who have joined the Judicial branch?—I think people would welcome that.

48344. What sort of pay or allowance do you think might be given to a man who was on study leave at Home?—I think there is a similar system in force with officers in the Indian Medical Service, and I think it might be done on the same lines.

48345. If you paid these men highly it might be argued that you were indulging in unnecessary expenditure in paying for the teaching of your future Judges while you could have competent men already taught at the Bar out here?—I do not contemplate their being paid very much more than the allowance they would draw on furlough.

48346. I want to have your opinion upon the present rules that a man must have practised for three years at the Bar before he can be taken on to your approved list for a Munsifship. Do you think that it is desirable to have that restriction, or not?—I think in practice it works out to this, that the amount of professional work which a man has done in three years amounts to very little. I do not think any of our candidates who have been listed as Munsifs have had any practice to speak of, although we insist upon a three years' period from the time of their getting their law degree.

48347. By the time a man has had three years' practice he might form a fairly good idea as to whether he was going to make a success at the Bar or not. If he formed the opinion that he was going to make a success at the Bar he probably would not apply for Government service. It seems to me that if that were the case you might get the less efficient young Barristers applying for Government service?—That is so. I still think that a man after three years at the Bar, who has made a good start, is not very likely to apply for a Munsifship. I think that is so on the whole. Some of them, I think, select for the judicial career on other grounds; they like the position; and the prospect of the pension influences them, perhaps, in that direction.

48348. Would you, personally, like to see that restriction removed?—I should not mind its being removed at all.

48349. You have no very definite opinions one way or the other?—Considering the amount of practice these men get, I think it might be removed.

48350. With regard to the privilege leave which members of the Judicial branch of the Provincial Civil Service desire, would you suggest a

fortnight's privilege leave or a month's privilege leave?—A month; the same rules as apply to the District Judges.

48351. A month's privilege leave on full pay in addition to the month's vacation?—Yes.

48352. At the present time a man can get ten days' casual leave in the course of the year, can he not?—Yes.

48353. So that if he were granted a month's privilege leave, he might be entitled altogether to the month's vacation, a month's privilege leave on full pay, and ten days' casual leave, I suppose also on full pay?—Casual leave is on full pay; but it is not usual to grant it if a man has taken privilege leave as well.

48354. You think that a month's privilege leave would not be excessive?—No, not a bit.

48355. (*Mr. Sly.*) In your proposals relating to pensions you refer to them as a reward given by the State for good service. Would it not be a more accurate description of them to state that they were deferred pay?—I should not think so. I have always looked upon pension as something given by the Government, and not as a question of pay at all.

48356. Has there not been a legal decision upon the point?—I have never looked upon pensions as deferred pay.

48357. Your proposal, I understand, is to place the 4 per cent. contribution to a provident fund, and have a scheme of proportionate superannuation pensions?—Yes.

48358. You refer to the system adopted in the Home Office; can you describe it shortly?—I believe there is such a system, but I cannot give any particulars.

48359. If your scheme involved a reduction of the annuity of £1,000 at present given to all members of the Service, do you not think it might prejudicially affect recruitment?—It might. On the other hand, a man has got the prospect of getting his deferred pay at the end of his service, a cash payment, which would be very welcome to many, I have no doubt.

48360. It is usually stated that the young candidate for the Indian Civil Service lays great stress upon the fact that he is entitled to £1,000 a year at the end of his service; and also that his widow is entitled to a pension of £300 a year. Are these the two decisive factors which are known in England?—I think that is so.

48361. If one were altered, do you think it would affect recruitment?—It might; but I think if the fact were advertised sufficiently, that a man would get a substantial lump sum of money at the end of his service, it might reconcile him to the acceptance of a lower pension.

48362. (*Mr. Macdonald.*) With regard to the stage at which you would examine your Indian candidates, have you thought whether you could not examine them immediately after they have passed their Intermediate examination?—I have not got a very intimate knowledge of the nature of this examination. I should have thought that the Intermediate examination would hardly provide a sufficient test of intellectual capacity. I should like to make the qualifying test higher than that.

48363. Even if you are going to give them three years at Home?—That is training upon special lines.

48364. You do not think the education they get up to eighteen is sufficiently good for specialising?—No, I would prefer to have the selection made at that age, after the man has got to the stage of having his degree.

48365. If you bring in Indians at a stage about, I suppose on the average, two years later than you bring in Englishmen, there would be certain disadvantages?—I think it would be a disadvantage. I admit the disadvantage if a man begins his work later.

48366. The disadvantage is that the Indian starts two years later than the Englishman?—I think it would be a disadvantage for a man to start at a later age in the same grade and to be doing the same work. It might be regarded as a disadvantage by a man who has to start and do the same work as a man who is two or three years junior to him in the same grade and on the same pay.

48367. But there is a good deal of irregularity like that in the present system with the margin between 22 and 24, is there not?—That is so. The inequality does exist under the present system.

48368. In this case the inequality would be for the Indians as a whole compared with the Englishmen as a whole?—I start with the point that the great advantage is that he should get down to his work at once when he comes to a new country.

48369. I have much sympathy and interest with your proposals, and I see your difficulty. You have stated very categorically that there would be a disadvantage to the Indian coming in. That is a point I am not very sure about?—I think, still, that as a matter of training the sooner a man gets to work, whether Indian or Englishman, the better for him. You cannot avoid some inequality. I do not see how it is to be avoided.

48370. The Englishman comes out here as a foreigner?—Yes.

48371. Therefore he requires a certain period, a year or two years, to acclimatise himself to the people and to the surroundings. On the other hand the Indian comes out here as a home-bird after three years' training, and therefore he does not require that acclimatisation period?—No, it is not necessary in his case. He is in his own country.

48372. That somewhat reduces the inequality?—Yes.

48373. I suppose you lay emphasis upon the fact that the bulk of the Englishmen in the Service are two years younger than the bulk of Indians in the Service?—It might be regarded as a disadvantage; but perhaps there is not very much in it.

48374. Both sides have to run 35 years?—They can run 35 years, but they can get away, of course, after 25 years.

48375. From your experience of the Service do you think it would be any advantage to the Indians as a whole from the point of view of promotion that they are eighteen months or two years older than the Englishmen with whom they would be placed in competition. Do you

see my point?—I should like to hear it again. I am not quite sure that I have caught your meaning.

48376. There is a vacancy, say, for a Collectorship. The authorities have a list of men in front of them. The Indian block is two years older, on the average, than the English block. Supposing you have three Indians and three Englishmen, otherwise competent, and the selecting authorities say the three Indians are such and such X ages on the average, and the Englishmen are, on the average, X—2 ages: would the difference in age be a handicap to the Indians, or would it not?—I do not see how that situation can arise. These people will be on one list.

48377. It is carrying on your own objection. Your Indian is two years older than your Englishman. In the ordinary course they would pass up the grading. A time comes when selection comes in?—That is so.

48378. When the selection is exercised, my assumption is that you have got a certain number of Indian candidates and a certain number of English candidates who would on other grounds be fairly equal, and the Lieutenant-Governor, or whoever had the selection, would select from any for the selected promotion?—I do not see how that can arise. The ordinary process would be to take the senior man if he was qualified, and then go down the list until you got a proper qualified man. The English and the Indian candidates would be on the same roster.

48379. When you come to select there might be half a dozen come out in the same year?—There is seniority according to the order you pass out. That is observed all through the Service.

48380. If you put an older Indian on the same principle of seniority as you put him now, then the fact that he is two years older than the Englishman would be no handicap at all?—No. They would be taken in regular order as they stood on the list.

48381. Then I am still at a greater loss to understand why there was a still greater disadvantage in the difference of years?—There is a disadvantage, I think. The sooner a man starts his service the better value Government will get out of him. He will probably last longer too.

48382. If we did decide to recommend a difference of years according to your evidence the disadvantage is not very great?—On the whole I do not say that it is a very great one. I cannot see any way of avoiding it such as it is, if you are going to select according to my ideas.

48383. (*Mr. Fisher.*) Resuming where Mr. Macdonald left off, you say the position of the Indian in the Service will be regulated by his place in the final examination?—Yes, the final examination. I imagine that would be the process. It used to be the way.

48384. My difficulty is this. You have a certain number of Indians who will come in at the competitive examination in England, not very many, under your scheme, but still a possible few?—Yes.

48385. You will have another set of Indians who will have a separate examination in different provinces in India?—Yes.

48386. They will go to Oxford and Cambridge, and your Englishman will go to Oxford and Cambridge. Would you put those Indians who have been recruited in India through exactly the same course as you would put your Englishman?—I would.

48387. You do not think it would be necessary for the Indians to improve their knowledge of English institutions and English matters?—I think if you select them at the age I propose they would be able to take up the same course of training as the European candidate.

48388. You wish your candidate to take up an Honours degree at Oxford or Cambridge?—I do not insist upon any degree at all. I want three years' compulsory probation, and an examination held periodically all through that time, until you come to the final stage when everybody has to sit for the same examination.

48389. My difficulty is this. Suppose you send your candidates to three Universities, and put them through an academic course in those three Universities, they will be going through different examinations at the end. They may be roughly the same courses, but they will be different examinations.—Why different examinations?

48390. If they are the Honours schools of different Universities?—I am not proposing Honours schools for them. I want to see the old Departmental examinations carried out by the Civil Service Commissioners.

48391. You want them to be residing in Oxford or Cambridge, but to be going through an examination under the Civil Service Commissioners, the result of which will determine their place upon the list?—Exactly.

48392. Then the second point is this. You recommend that your examination in India should be provincial?—Yes.

48393. And your main argument is that it is desirable, on the whole, to employ a man in his own province?—Yes.

48394. We have had some evidence before us to the effect that an Indian in his own Province may be subject to some sort of pressure from his own communities and his own relations, and his position is perhaps made a little bit more difficult by that reason. Is there anything in that?—There may be some possibility of this happening. It might be recognised as a small disadvantage; but the other advantages I think outweigh that. We adopt this plan now in the case of our Provincial Civil Service. We recruit our men to the Provincial Service from men residing in the province. With regard to the question of family influences, and things of that sort, one may recognise the possibility of it, but I do not think it is a serious consideration.

48395. You do not think the fact that you are putting your candidate through a three years' course in England, through the Western sieve so to speak, makes it more possible for him to serve outside his own province with effect?—I have not considered the matter in that light at all. It probably would have that effect I should say; but I think the other proposal would be the more popular one. I think men would prefer to serve in their own province.

48396. As a matter of fact, will not your English probationary scheme, if it is carried out,

make your Indian candidate recruited by separate examination less provincial?—Quite so. I should expect it to produce that effect.

48397. (*Mr. Madge.*) You think that a general education, however liberal, is not an adequate equipment for any career which demands the necessity of special knowledge. Do you think that there should be specialisation with reference to new developments, such as agriculture and chemistry?—Not for the Indian Civil Service. I think that must be left to special departments. You cannot make an Indian Civilian specialise to the extent that would enable him to run a special institution like an agricultural college. I think that would be asking too much.

48398. Even if, amongst the optional, some foundation was laid for specialisation, you do not think it would be advisable?—The syllabus for the examination comprises a variety of subjects which may be useful to a man who has a special talent for science, for instance.

48399. What had you in mind when you suggested specialisation?—My idea of specialisation is this, that you catch the young European at an early age, and make him begin his special education for India at an early age. That is the idea.

48400. You say, "To meet the case of the Indian candidate, I should recommend a system of selection by combined nomination and examination in India." Would you have nomination before the examination, or the examination before nomination? I ask you to consider this with reference to these two points. If you have nomination before the examination, then your selection would not take into account any educational qualifications; and if you have examination before the nomination you have the contingency of rejecting a man by selection who may have passed successfully in the examination, and so create some bitterness?—My scheme does not work quite in the way you have put it. I start with nomination, and give the examination afterwards. One of the principles which have to be applied to nomination is the determination of the candidate's intellectual capacity. Having got your selected candidates, let them compete for the number of vacancies you are prepared to offer.

48401. You mean to arrive at his intellectual capacity quite independently of any examination from other sources?—Yes.

48402. You go on to say, "I am not in favour of laying down any rigid rule declaring the proportion in which posts are to be held by Englishmen and Indians." Do you say that because you object to the principle of reservation altogether on racial considerations, or because you think the Government of the time should be left to arrange matters as it may be thought necessary?—I should like to see the system so elastic that you can make use of your best men. I do not want to see any fixed proportion laid down for that reason.

48403. With reference to your keeping people in their own provinces, I have heard it said that one advantage which an Englishman possesses, the advantage of detachment, might be secured in the case of Indians by removing them from their own provinces. You do not believe in that argument?—There is something to be said for it.

48404. With reference to the eight years' service on the line drawn between inferior and superior appointments, what are the remedies which you would suggest for the grievances of the junior Civilian?—I think the most obvious solution is the time-scale pay. Failing any other scheme I should favour a time-scale starting at Rs. 450, and rising to Rs. 1,200. That would tide them over the time when they were likely to suffer from blocks in promotion.

48405. (*Mr. Chaubal.*) As far as I gather, you propose that the Local Government of each province should determine beforehand how many vacancies should be filled by Indians. What would be good for the province will eventually be good for the whole of India?—Yes, I hope so.

48406. The Local Government of each province has got beforehand, each year, to say that it is suitable to employ so many Indians in the superior posts: that must necessarily be done beforehand?—What I understand it to be is this. Each Local Government having framed some scheme by which they are able to say how many superior appointments can be suitably held by Indians in each province, they proceed to recruit on the principle that the recruitment is for the whole of India.

48407. Supposing the examination is going to be held in 1915. Each Local Government must say that for the year 1915 it will suit them to employ so many more Indians and that there will be so many vacancies. They will get the number who have to go through the examination; and the successful candidates in that examination will go Home and take their probation for three years, and they will become part and parcel of the Civil Service?—Yes, of the Indian Civil Service.

48408. Unless you fix the proportion of Indians, how long do you expect these examinations to be held? Because, supposing for each province every year, or within the next five years, the Local Government says, "It will be suitable for us to employ two or three" (I am taking two or three for each province, the whole of India being ten or twelve), will you not within a very few years come to a stage when you must stop your examinations and stop all further recruitment in this way?—I do not contemplate that result. At the present time we recruit on the basis of retirement, the possibilities of death, and other things which remove men from the Service.

48409. At any rate you can contemplate that there may be years when the Local Government may have to say that no examination is necessary for the province?—I have not contemplated that situation arising at all. I imagine that it will always be possible for the Local Government to offer vacancies every year, possibly not always the same number, but always some.

48410. You think so?—Yes, I do.

48411. You think the number will not be reached soon?—I have no reason to suppose it will, having regard to retirements, and other accidents, which remove men from the Service.

48412. Unless you would be prepared to have a certain proportion of Indians in the Service, would any such scheme be feasible. That is the difficulty in my mind.—I do not see why it should

be less feasible than any scheme with proportion in it. By laying down a proportion you might reach your proportion in a few years.

48413. That is the objection to any examination of the kind. Unless you fix the proportion within two, three, four or ten years you must come to a certain stage, if it is to be assumed that a certain percentage of Europeans is necessary in the Service, when you will have to hold your hand and say that further recruitment is not possible?—I am not convinced that that need necessarily be the case.

48414. With regard to the age question, you are of opinion that if the age is lowered the present curriculum for the examination in England would have to be lowered?—It must be lowered. At the present time the curriculum is fixed for graduates of the Universities. You cannot lay down the same curriculum for boys who are just leaving school.

48415. Would the curriculum which you would lay down for the English examination be something equivalent to the B. A. standard of the Indian Universities?—I should think it would be very much the same. Your good English public school-boy who gets through his sixth form is about the same standard. He leaves probably between 18 and 19, and he would probably reach the B. A. standard out here I should think. I am speaking of the clever boy.

48416. Under your scheme it would be possible for your Indian graduate directly after he takes his degree to go Home and compete for the examination?—Not under the lowered limit. He could not do that. If the age-limit is 17 to 19 I do not think any Indian graduate could compete within those limits.

48417. Would you have any objection to fixing the maximum for the examination in England only, and not fix the minimum at all, instead of making it 18 to 20 which you say is more convenient?—I have revised that. I have altered that to 20 to 22.

48418. You do not want to have different ages for the examination in England?—No, one examination, 17 to 19.

48419. Supposing we are anxious that our boys should be permitted to appear at the examination in England, and do not fix a minimum, but fix a maximum, say 24, leaving it open to the English boys to go in and appear and pass at 20 to 22, and then come out here: they will of course start a couple of years in advance of the Indian candidates in the Service. What do you say to that?—I think your age-limit will be too wide in that case. I do not think limits like that would work. You would have the same examination for candidates whose ages might differ by an interval of six years. I do not see how you can have any uniform scheme of examination with those limits. It would really end in all the candidates going up at the higher age-limit. If you frame your scheme of examination to suit candidates within such a wide age limit, the examination would tend to become an examination which would be most appropriate for candidates of the higher age.

48420. The English candidate would not care to go in for that examination if it is open up to 24?—I do not understand quite what you mean.

48421. The difficulty some of the witnesses have explained is that when the Englishman comes out here at 25 he comes out too late. My object is to remove that ground of complaint, and make it open to the English candidate to come and begin his service in this country earlier. Therefore, if you leave the maximum at 24 it will be only the maximum for the Indian boy, to whom it will be more convenient. The English boy, if he gets his failure in the first or second year, will go into some other line?—I can see a great deal in having the examination upon those lines, but I do not see how it could work.

48422. (*Sir Murray Hammick.*) With regard to this scheme of yours for the Indian Civil Service, your idea is that each Local Government should select a certain number of superior posts to be manned by Indians, through this door in India which you propose?—That is the idea.

48423. The number of vacancies in each year, I suppose you would intend to be worked out exactly on the same principles as the number of vacancies are now worked out?—Exactly.

48424. According to that, if you had 22 listed posts, or 22 posts in this way, it would give you recruitment according to the principles upon which the Government of India worked it out: it would give you two a year, and it might give you a little more. Your only difficulty, as far as I can see, would come about in very small provinces, such as Assam or the Central Provinces. There it would be difficult to work owing to the small number of superior appointments that would be left to Indians. But I apprehend in other provinces there would be no difficulty in supplying one or two vacancies every year?—I have been working on the figures of my own province. It seemed to me to be possible to be able to offer the number of vacancies you suggest.

48425. As regards the age difference, the difficulty that I foresee would come in would be that the Indian after twenty years' service would be 43 if he came out at 23; while the Englishman perhaps would only be 40 or 41 if he came out at 21?—Yes.

48426. The probabilities are that the Indian would be a great deal less young at 43 than the Englishman at 43, as the Indian ages more rapidly than the Englishman; and therefore the difference between the Indian at 43 and the Englishman at 41 would be very considerable?—It might be. But I do not see how you can avoid these things. There is no way to avoid them, as far as I know.

48427. With those difficulties in view, you would still prefer that the Indian should come out at the older age?—I think so, because I think the age of selection in India gives you the best chance of getting hold of the right man. If the younger age is adopted for the Home examination I am of opinion that the Indian candidate is at a disadvantage.

48428. (*Mr. Tudball.*) As a matter of actual practice, are not Munsifs appointed about the age of 29 to 30?—I think by the time they get their permanent appointments their average age is 28 or 29.

48429. Would it not be possible to recruit probationary Munsifs at 25?—I think so.

48430. He can get his LL.B. at 22?—Yes.

48431. And his B.A. at 20?—Yes.

48432. That would give him one or two years to practise?—Yes.

48433. You could recruit him at 25?—Yes.

48434. He would be a probationary Munsif for two years, and then you could appoint him after that?—I should not object to that.

48435. In that way we should be much more likely to get hold of better men, a few straight good ones?—I think there is a good deal to be said for the proposal. The three years' waiting may choke off a good man.

48436. (*Mr. Kanhaiya Lal.*) With reference to the proposal for abolishing the listed appointments now open to the members of the Provincial Civil Service, I should like to know your opinion as to whether the Bar is making steady progress and improvement both in strength and quality?—I should say in my experience that it is.

48437. I think you recognise the necessity of having a strong Bench in order to cope with a strong Bar?—I recognise that thoroughly.

48438. And you recognise the desirability of maintaining the Service in a high state of efficiency?—Quite so.

48439. If we take away the listed appointments, do you think that we shall be able to attract men of the right sort?—You will affect the prospects of the Provincial Civil Service. You will be giving another avenue. If you are going to abolish the listed posts you will damage the prospects of the Provincial Civil Service. On the other hand, my proposal opens another avenue for employment in the superior service.

48440. It would be open to another class of persons?—Practically the same class. I should say the field of selection is practically the same in both cases.

48441. On the other hand, there would be counter-attractions. One attraction would divert our men towards the separate examination you propose for the Indian portion of the Indian Civil Service, and another, which will be a smaller and inferior one, will draw them to the Provincial Civil Service?—Yes.

48442. To which side do you think the candidates are more likely to be attracted?—I hope they will be attracted to my scheme, the scheme by which they receive three years' training in England.

48443. Will not the result of that be that you will get an inferior class of candidates for the Provincial Judicial Service?—Possibly.

48444. Is that desirable in the interests of judicial efficiency?—I do not see how it can be avoided.

48445. Will not the interests of the administration of justice suffer if we have an inferior class of officers who are not able to cope with the members of the Bar?—On the other hand, I think you will get a class of officers recruited by my scheme who will take up the Judicial Service.

48446. I am speaking of the Judicial Service as a whole from the top to the bottom.—I propose that the Government should take power to give appointments to the Provincial Service. I am not preventing the Bar entirely from going into the Provincial Service. My scheme includes an opening for men to higher appointments as now.

48447. At present we have eight appointments. You would restrict the number considerably; and make such an appointment to a listed post a matter of rare occurrence?—I do not see how you can retain the eight listed posts, or whatever posts there are now, under my scheme.

48448. Then the danger we apprehend is that we shall be manning our Provincial Service with an inferior class of men. The better class would either enter the Provincial Executive Service where they can go straight from the University, or would like to go up for the separate examination which you propose for the Indian Civil Service leaving the Provincial Judicial Service in the lurch?—It would make the Service less attractive.

48449. The result would be that it would be manned by an inferior set of officers who will not be able to cope with the members of the Bar?—I would not undertake to prophesy results in the sense you make out.

48450. If we take away the vested rights, do you not think that that would create discontent in the Provincial Service?—If they are vested rights! They cannot be vested in a future generation. My scheme says that you must consider all these vested rights of the Service before you introduce the plans I suggest.

48451. As regards general legal qualifications, I should like to know whether the legal qualifications possessed by Indians passing into the Indian Civil Service by a separate examination under your scheme would be equal, or inferior, to the legal qualifications possessed by the members of the Provincial Judicial Service. I am speaking of the legal attainments only: will they be inferior or equal?—I should not like to give an opinion upon that subject. It is difficult to say.

48452. Would you give Indians a legal training in England? You propose to send them to Oxford or Cambridge for three years?—I propose a probationary course to include a stiff course in Law of three years for both Indians and Englishmen.

48453. Will it be anything equal to the Law courses and training that our men will have to undergo before they enter the Provincial Judicial Service?—I should think it would be quite equal, perhaps superior.

48454. I take it then that in your opinion the status of the Service will not in any way be affected, and the recruitment of the Service will not be prejudicially interfered with?—I have not said so. I think the prospects will be affected.

48455. And the recruitment will also be affected?—Yes, necessarily.

48456. You do not think that it would be a misfortune in the interests of Judicial administration?—I do not see how it is to be avoided. That is the way I put it.

48457. What is your proposal about the recruitment of District Judges for listed appointments? If they are retained how would you recruit them?—I would recruit them from the Provincial Judicial Service.

48458. Have there been many cases as far as your knowledge goes of breakdowns in health in the Judicial Service within the last three or four years?—I know that many members of the Judicial Service have died within the last three years. I have had a list shown to me from which it appears that there have been ten or twelve deaths.

48459. Do you think that the leave rules are also responsible to some extent for the casualties and breakdowns?—I think that the reluctance on the part of men to take leave, and also their inability, at times, to take leave, may cause them to get stale and impair their general health.

48460. Do you not think that the nature of the work which the Judicial officers have to do requires that they should have a compulsory vacation?—I think a vacation is necessary.

48461. Does the compulsory recess conduce to an increase of efficiency?—I think it does. In fact, I do not know how one would carry on without it.

48462. You have already said that the vacation comprises many holidays?—The holidays are eight or ten days as far as I recollect.

48463. Are the civil courts closed on the last Saturdays of the months?—The civil courts are not closed on the last Saturdays of the months. They have to work on Saturdays.

48464. Does it not come to this, that the civil courts thus get only a few extra days by reason of the vacation; some of the days are holidays; and by way of counterpoise no respite is permitted to them on the last Saturdays?—I think you can work it out that way.

48465. As regards other holidays, are they not occupied with the writing and preparation of judgments; the study of law points, and the study of case-law?—I think we have all got to work on holidays.

48466. What starting salary would you propose for the Provincial Judicial Service in order to attract the right class of men?—I should like to see the present rate of pay raised in the junior grade. Considering the age at which they come in, the average age of 28 or 29, I think Rs. 200 a month is too little.

48467. Would you recommend a more liberal travelling allowance in cases of transfer?—I am very much in favour of that.

48468. For all Services?—Yes, for all Services. Transfers always involve men in a considerable pecuniary loss.

(The witness withdrew.)

(Adjourned to the 9th April, at Lahore.)

LIST OF APPENDICES.

PAGE.

I.—Memorial of J. M. Clay, Esq., I.C.S. 462

II.—Officials, non-officials, and associations in the United Provinces who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages v—xl of this volume, but who were not orally examined 467

III.—Officials, non-officials, and associations in the United Provinces who furnished written answers to the interrogatories printed on pages v—xl of this volume in response to a notification published in the Gazette, but who were not orally examined 468

APPENDIX I.

Memorial referred to in reply to question (47107).

To—His Excellency the Viceroy and Governor General of India.

This is the dutiful memorial of J. M. CLAY, I.C.S., a Member of His Majesty's Indian Civil Service at present serving in the United Provinces of Agra and Oudh which

RESPECTFULLY SHEWETH,—

THAT it is with great reluctance that your memorialist ventures to bring to your Lordship's attention the unfavourable position in regard both to his present salary and to his future prospects in which he finds himself placed. This is naturally a subject on which he cannot but feel some diffidence in enlarging, nor would he have taken such a course had it not been forced upon him by circumstances.

2. It is a commonplace that the cost of living has increased of late years throughout the world, and that this increase has been very pronounced in India has received recent acknowledgment in the appointment of a commission to consider the rise in prices. When attention is directed particularly to the circumstances of the European in this country, it will be found that there are further special causes which accentuate the phenomenon in his case. Conspicuous among these are the increased number of European residents in India, and the adoption of a European mode of life by the more wealthy Indians without any commensurate increase in the supply of suitable houses, servants, and other similar necessities. In the United Provinces, this rise has already been considerable and still continues. In the western districts of the province and in all the larger towns, prices approximate to those prevailing in the Punjab where they are notoriously high, whilst even in the east the comparatively cheap rates previously current have undergone a remarkable change and are still rising.

That this increased cost of living is a valid ground for raising the salary of European officials in receipt of an income, the amount of which was fixed under other and more favourable conditions, has been recognised by the grant of concessions and revisions of the rate of pay in the case of nearly every Government department other than the Indian Civil Service. Your memorialist would submit that on this general ground alone the members of that Service would be amply justified in claiming the consideration of your Lordship, a fact which he trusts will not be obscured by the number and cogency of the reasons of a more particular nature which it is proposed to adduce.

3. Your memorialist has always understood that the cadre of the Indian Civil Service is constituted on the principle that a majority of its members should be employed in the higher and more responsible posts under the Government, a certain reserve being maintained to fill leave vacancies and provide for the training of junior officers. An officer may, therefore, reasonably expect under ordinary conditions that after completing one-third of his service, that is to say, in or about his ninth year, he will be permanently in occupation of a *superior* appointment or one of not less responsibility than that of District Magistrate or Sessions Judge. The maintenance of such a standard of promotion is the more desirable now that the large majority of the Civilian officers in this province are men who were recruited under the regulations introduced in 1893 and are several years older when they arrive in India than their predecessors were. This standard of promotion is very far from being maintained. A reference to the first Annexure attached to this memorial will show the net number of officers recorded in the official Civil List of the United Provinces, who, on the first day of the four quarters of the past five years, having completed eight years' service, were not holding a *superior* appointment. By "net number" is meant that the result is obtained by subtracting the number of officers holding a *superior* appointment who had not completed their eighth year of service from the number of officers who had completed their eighth year of service but were not holding a *superior* appointment. It may be added that, in nearly every case, those officers who are shown as holding a *superior* appointment, especially on the 1st of October in each year, before the completion of their eighth year of service, were holding it in a privilege leave vacancy, that is to say, one of but a few weeks' duration. It is shown by the Annexure that on the 1st of January in the years specified, a net number of officers varying from 23 to 30 were in a position which violated the principle mentioned above, and that on the 1st of April the numbers ranged from 10 to 25, whilst even on the 1st of July and the 1st of October in the majority of cases, despite the common occurrence of a number of short-leave vacancies about that time of year, there was still a small net number of officers in this position. The figures quoted above would have been even more striking had it not been for the large number of junior officers on leave during these years.

4. The long continuance of this block in promotion has had other results besides those already described. The most obvious of these is the very long period which now usually elapses before permanent promotion to the various grades of *superior* appointments is obtained. It is unnecessary to enlarge upon this point, but it may be remarked that in the most recent Civil List available, that for the 1st of July 1911, no less than five officers, who were completing their seventeenth year of service, had not risen above the rank of Joint Magistrate of the first grade, the substantive pay of which is only Rs. 1,000, whilst the most junior officer holding permanently a *superior* post—the second man of his year (there being 10 of his contemporaries below him)—was completing his fifteenth year of service.

The fact that substantive is always preceded by officiating promotion for a term of years cannot fairly be cited as a palliative of this abnormal retardation. Against the temporary rise of pay earned in an officiating appointment must be set off the very considerable expenses incident to continual transfers and out of all proportion to the present scale of travelling allowance which are experienced by every officer at this stage of

his service. Even if he officiates continuously it is very seldom, owing to the claims of more senior officers, that he is allowed to remain in the same place. A constant succession of changes, involving as they do on each occasion, the breaking-up of one establishment and the setting up of another, leaves him pecuniarily in a position but a little different to that which he would have occupied had he retained his substantive post. Added to this, he has either to maintain the same position and scale of expenditure as the senior officer whose place he occupies or to incur both for himself and for the Service a loss of prestige. For Indian sentiment associates with every post a certain scale of expenditure irrespective of the actual salary enjoyed by the holder of it.

Another and a very disheartening result of the block in promotion has been the annual reversion to the rank and work of a Joint Magistrate of a number of comparatively senior officers. During the past five years officers of eleven years' standing as a regular thing and officers of twelve years' standing and even more, on a number of occasions have so reverted. It is difficult for these officers, with the best will in the world to do their duty cheerfully, not to feel some resentment at this annual recurrence of a process which removes them, it may be, from the work of administering a district in which they have taken for six or eight months a growing interest and about which they have just obtained a considerable amount of information. The reversion, moreover, imposes upon them the performance of the less responsible and, therefore, the less interesting duties with which they have been familiar for the last ten years. Added to this, the feeling of insecurity inseparable from the anticipation of reversion continues now-a-days for a much longer period than is reasonable.

5. But the must striking proof of the disadvantages under which the majority of officers in the United Provinces are labouring has yet to be mentioned. In a recent resolution of the Government of India (F.D. No. 2485/Est. A., dated the 1st September 1911) the pay of officers serving in the Political Department of that Government was reconstituted upon the basis of a time-scale. It is stated in that resolution that "the time-scale of pay . . . . with additional personal allowances for members of the Indian Civil Service . . . has been calculated at a rate which will give them approximately the emoluments which they might expect to draw in the provinces." In other words, the Government of India have published officially the scale of pay which they consider an officer of the Indian Civil Service may reasonably expect to draw during each year of his service, exclusive of the special allowances attached to certain appointments. If it can be shown that the Civilian officers of this province are, as a fact, drawing consistently less than this scale of pay at present, it must be admitted that they have a legitimate ground for complaint. In the second Annexure attached to this memorial an attempt has been made to calculate roughly the average emoluments of all officers of between 8 and 20 years' service in this province on duty during the years 1910 and 1911, omitting local, personal, and deputation allowances as was done in calculating the time-scale referred to. The method adopted has been to take the average pay of all officers of a given year on duty, as shown in the Civil Lists of the 1st January and 1st* July to add the average pay on the 1st January to that on the 1st of July and then to take the mean of these two averages. To the sum so obtained 6¼ per cent. for exchange compensation allowance, which has been disallowed in the case of the time-scale quoted, has been added and the total so arrived at has been compared with the pay for officers of similar standing under the time-scale. This method is admittedly imperfect, but it may be claimed for it that it gives a fairly close approximation to the actual facts. Absolute accuracy would demand the preparation from figures only available in the Accountant-General's office, of a statement showing the actual pay, excluding allowances other than acting allowances, drawn by each officer for each of the years in question. The Annexure shows that in no single instance during the last two years did the average pay of any officer in this province of between eight and twenty years' service, calculated in this way, reach the figure which the Government of India has declared a reasonable one for him to expect. The difference varies from about Rs. 50 to more than Rs. 350 per mensem and the average divergence was Rs. 158 in 1910 and Rs. 180 in 1911 *per mensem*. This represents an average loss in emoluments of over £120 per annum. It seems to your memorialist to be an irresistible conclusion from these figures, assuming their approximate accuracy (and in regard to this he courts the fullest enquiry) that the Civilian officers of this province generally are not receiving the pay which they are entitled to expect, and that it is only when an officer is within a few years of his retirement that, under present conditions, he can hope to receive what the Government of India have publicly announced to be a reasonable reward for the services performed by him.

6. It may be objected to this argument that although it demonstrates a regrettable state of affairs in the past, it does not establish the permanence of similar conditions and that an unusual number of retirements in years to come may improve the present gloomy situation and make amends for the years in which promotion has been so seriously retarded. Unfortunately, there is little reason for anticipating anything of the kind. It should be pointed out first of all that the present stagnant condition of promotion would have been even worse than it is, had it not been for an abnormal number of casualties by death or invaliding amongst the officers of this province during the last few years. Since the 1st of January 1907 up to the present date there have been 14 deaths, two cases of invaliding, 17 retirements, and two resignations. It has thus happened that fortuitous casualties have accounted for nearly as many officers leaving the Service as voluntary and compulsory retirements, whilst if resignations be added to their number it actually exceeds that of retirements. A recurrence of these conditions is as improbable as it is undesirable.† Further, it is to be observed that there are at present only 23 officers serving in this province who will be

* The figures for 1st April and 1st October are misleading because a number of promotions usually occur soon after the former and a number of reversions soon after the latter date.

† NOTE.—During the ten years preceding 1st January, 1907, there were only 12 casualties by death, resignation, and removal—a number 33 per cent. smaller than that recorded in the succeeding five years.

compulsorily retired during the next ten years. Your memorialist does not for a moment suggest that this number is any criterion of the probable number of casualties during the next ten years. He mentions it merely to indicate the small number of senior Civilians now serving in the United Provinces. It is clear from a consideration of the number of recruitments during the past four years as well as from the average number of officers recruited over a term of years in the past that the number of casualties, reckoned as the normal one for the cadre of the United Provinces, is approximately ten annually or about one hundred in ten years. But, it may be pointed out that during the next ten years, reckoning in all officers who have at present fifteen years and upwards of completed service to their credit, only 106 officers could under the rules retire, were everyone of them to take his pension as soon as he became entitled to it. But, this is an impossible hypothesis. A reference to any Civil List will show that there are normally between 20 and 30 officers who continue to serve after completing their twenty-fifth year of service. Making due allowance for this factor it seems extremely improbable that even a normal rate of promotion can be maintained during the next decade, even assuming the most favourable conditions and the maintenance of the existing number of *superior* appointments open to the service.* But, even if a normal rate of promotion were to be maintained the position of the junior members of the Service would be in ten years' time exactly the same as that of officers with 12 to 15 years' service at the present moment, and this your memorialist has endeavoured to show is far from satisfactory.

7. It also remains for consideration whether the total number of *superior* appointments at present open to members of the Indian Civil Service will remain the same as it is now: for on that factor every calculation as to the probable state of promotion in future years directly depends. There is a tendency abroad at the present day for posts outside the regular line, previously held by officers of the Indian Civil Service to be closed to this Service and given to officers of the special line concerned. An instance of this is the Inspector-Generalship of Police, which is at present held by a member of the Indian Police Service and a precedent having been now created, can no longer be reckoned as a post reserved for the Civil Service. Another appointment, that of Opium Agent, at present held by a member of the Service, is threatened, if not with abolition, at least with a heavy reduction in the emoluments attached to it. But the possibility, which your memorialist regards with the gravest concern, so far as his own prospects are concerned, is the *listing* of a number of *superior* appointments as open to the Provincial Service. In a recent debate in the Imperial Legislative Council, held at Calcutta on the 16th of March last, upon a resolution relating to the more extensive employment of Indians in the more highly-paid offices of the Government, the Secretary to the Government of India in the Home Department made, what your memorialist is convinced will be regarded as a promise, that within a short time a full sixth of all the *superior* appointments formerly reserved to members of the Indian Civil Service will be *listed* as open to the Provincial Service. There are at present in this province about 120 *superior* appointments of which seven are *listed*. If a full sixth be *listed*, no less than 13 more of these will be lost to the Service, a result which will retard the flow of promotion in this province, slow as it is at present, by nearly two years in the case of all officers not yet holding a *superior* appointment Taking the average annual increments allowed in the time-scale mentioned above, this represents a loss in monthly salary of about Rs. 200 per mensem over a long period of their service. While your memorialist has no desire to resist aspirations, which the Government of India consider reasonable, or claims which they recognise as legitimate, he would suggest with all deference for the consideration of your Lordship that it is desirable that some arrangement should be devised by which the possibility of a conflict between the declared policy of the Government and the personal interests and legitimate expectations of its Civilian officers may be avoided.

8. Your memorialist has endeavoured to prove first that the position of the majority of the officers of the Civil Service serving in the United Provinces is more disadvantageous to them than, according to the official pronouncements of the Government of India, they have a right to expect that it should be, and secondly, that there is little prospect of any improvement in it taking place for at least another decade, while there is even a possibility of a marked deterioration. In these circumstances, he hopes that your Lordship will be graciously pleased to take their case into consideration and, if satisfied that they have a just claim, to afford them some measure of relief. He would suggest that by far the most satisfactory means for achieving this end would be the introduction of a time-scale of pay similar to that recently introduced in the case of officers serving in the Political Department. Such a scale would presumably include all those appointments of which the emoluments are less than Rs. 2,500 per mensem and would be without prejudice to those local, personal, and deputation allowances which are at present in existence and attached to certain special appointments. The case of junior Civilians, whose temporary appointment to a *superior* post was demanded by the needs of the public service, could be met by the grant of a suitable charge allowance. The great advantage of this remedy lies in the permanence of the relief afforded. It would reduce very considerably the necessity of transferring officers, whilst the natural disinclination of an officer to his reversion to a post involving less responsible work would not be aggravated, as at present, by a serious reduction in his salary. This method would also be attended by an enormous simplification of work in the Accounts department and would do away with the necessity for the long tables of temporary promotions and reversions which appear every month in the official gazette.

Should, however, this scheme be found for any reason impossible to realize, your memorialist hopes that some temporary relief may be afforded to such officers as may be considered entitled to it, in the shape of personal allowances to bring the pay of officers of a certain standing up to a certain recognised minimum. Such allowances were granted in 1876 to officers of this province, who were suffering from a block in promotion

* With regard to this point a reference to the third Annexure is solicited.

similar to that which has now for several years been making itself felt. It has been said that the block then was worse than the one from which this generation of officers is suffering. This is certainly true, but in comparing the case of the Civilians of 1876 with that of the contemporaries of your memorialist, two important differences must be borne in mind. First, in 1876 the exchange value of the rupee was fifty per cent. higher than it is now, whilst its purchasing value in India was nearly double that it has since become. Secondly, the block in the seventies, although extremely severe, cleared off very rapidly and gave some of those officers who had suffered most from it, a very rapid run of promotion towards the end of their service. A reference to the fourth Annexure to this memorial will show that such an event is under present conditions unlikely to recur. The Annexure gives the number of officers now on the cadre of the United Provinces for each year of recruitment. It will be seen that there are now 42 officers remaining of those recruited between 1883 and 1889, 64 of those recruited between 1890 and 1896, 59 of those recruited between 1897 and 1903, and 59 of those recruited between 1904 and 1910. These figures do not justify the expectation of any abnormally rapid flow of promotion during the next 20 years.

A third means of accelerating promotion might be found in offering proportional pensions to senior officers desirous of retiring before the completion of their full 25 years of service, although it is improbable that this remedy alone would effect much improvement in the situation.

Whether any one or more of these alternative measures of relief may ultimately commend itself to your Lordship, your memorialist would respectfully suggest that it or they might well be accompanied by certain subsidiary measures. Such are the provisions for payment, in case of transfer, of a sum reasonably approximating to the expenditure which has perforce to be incurred and the grant of a free passage to Europe to an officer proceeding on furlough.

9. Finally, your memorialist wishes to add that his attitude in thus urging his claims upon your Lordship's attention is not wholly a selfish one. It is recognised on all hands that the work of Civilian officers in India tends to grow not only more arduous but increasingly difficult and delicate as years go on, and that more enthusiasm and tact are demanded from them for the efficient performance of their duties than heretofore. This fact was publicly recognised by Lord Morley of Blackburn, in a speech made by him to members of the Civil Service in London in 1908 on the occasion of their annual dinner. It needs no argument to prove that, such being the case, it is of paramount importance that all members of the Civil Service should be in a "position" in which they are contented and free from pecuniary anxieties. There have been criticisms, your memorialist hopes without justification, upon the quality of the candidates who present themselves now-a-days for admission to the Indian Civil Service as compared with the quality of those who entered its ranks in the past. It has been said, it may be hoped without truth, that the Indian Civil Service, as a profession, is less popular now than it used to be. Your memorialist believes that now if ever India stands in need of the best men that England can send her and that any lowering of the standard of Civilian officers in this country would be politically deplorable. The existence of discontent in the ranks of the Civil Service, when once generally known, will inevitably affect recruitment in England. It will certainly deal a death-blow to that hereditary sentiment which, although no longer fostered by any preparatory institution such as Haileybury College, has throughout the British dominion in India been so striking and, it is believed, so valuable a factor in the composition of the Civil Service. Apart indeed from sentiment, the Indian Civilian of to-day finds it increasingly difficult to afford his sons an education similar to his own such as will enable them to follow in his steps, even if he be not deterred by the apprehension of pecuniary embarrassment from incurring the responsibility of a family.

10. In conclusion, your memorialist craves pardon for the length of his representation and, as in duty bound, will ever pray for your Lordship's welfare.

ANNEXURE I.

Table showing the number of officers with eight years' service and over who were not holding a superior *appointment on the first day of the four quarters of the past five years.*

Year.	Date.	Number of officers of 8 years' service and over not holding superior appointments.	Number of officers with less than 8 years' service holding such appointments.	Net number of officers not holding superior appointments.
1907	January 1st	24	1	23
	April 1st	14	1	13
	July 1st	6	4	2
	October 1st	4	9	An excess of 5.
1908	January 1st	28	...	28
	April 1st	19	...	19
	July 1st	11	2	9
	October 1st	5	7	An excess of 2.
1909	January 1st	25	...	25
	April 1st	14	1	13
	July 1st	5	6	An excess of 1.
	October 1st	5	8	An excess of 3.
1910	January 1st	30	...	30
	April 1st	25	...	25
	July 1st	10	7	3
	October 1st	9	4	5
1911	January 1st	25	2	23
	April 1st	13	3	10
	July 1st	6	4	2
	October 1st	7	6	1

ANNEXURE II.

Table comparing the average pay of officers from their 9th to their 20th year of service with that allowed under the recently-introduced time-scale in the Political department.

Year of service.	Pay on the time-scale.	1911. Average pay on January 1st.	Average pay on July 1st.	Mean of the two.	Exchange compensation allowance.	Total.	Pay on the time-scale.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
9th	1,050	781	1,097	939	59	998	1,050
10th	1,150	833	1,129	981	61	1,042	1,150
11th	1,250	800	1,269	1,035	64	1,099	1,250
12th	1,500	1,115	1,388	1,251	78	1,329	1,500
13th	1,600	1,027	1,376	1,201	75	1,276	1,600
14th	1,700	1,415	1,475	1,445	91	1,536	1,700
15th	1,800	1,330	1,379	1,354	84	1,438	1,800
16th	1,950	1,611	1,731	1,671	104	1,775	1,950
17th	2,050	1,698	1,711	1,704	106	1,810	2,050
18th	2,150	1,833	2,065	1,949	122	2,071	2,150
19th	2,250	1,833	2,044	1,938	122	2,060	2,250
20th	2,350	1,903	2,250	2,076	130	2,206	2,350

Year of service.	1910. Average pay on January 1st.	Average pay on July 1st.	Mean of the two.	Exchange compensation allowance.	Total.	Pay on the time-scale.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
9th	800	1,099	950	59	1,009	1,050
10th	700	1,082	891	57	948	1,150
11th	800	1,294	1,047	65	1,112	1,250
12th	1,027	1,296	1,161	72	1,233	1,500
13th	1,158	1,424	1,291	81	1,372	1,600
14th	1,212	1,365	1,288	81	1,369	1,700
15th	1,365	1,648	1,501	94	1,595	1,800
16th	1,635	1,759	1,697	106	1,803	1,950
17th	1,810	1,937	1,873	116	1,989	2,050
18th	1,785	2,083	1,934	121	2,055	2,150
19th	1,916	2,111	2,013	125	2,138	2,250
20th	2,111	2,180	2,145	134	2,279	2,350

NOTE.—In calculating average pay above all allowances other than acting allowances have been excluded. The pay of those officers only who were on duty in the regular line has been reckoned.

ANNEXURE III.

In this annexure an attempt is made to calculate what will be the probable position of officers now in their 5th to their 9th year of service after intervals of three, six, and nine years. In making the calculation it has been assumed that the number of officers who remain on duty after completing 25 years of service will continue constant at 25 and that there will be one fortuitous casualty per annum by death, resignation or invaliding in the ranks of officers who have served for less than 25 and more than 9 years. On these assumptions it may be anticipated that, during the next three years, there will be (39+3—25=) 17 casualties, during the next 6 years (69+6—25=) 50 casualties, and during the next nine years (98+9—25=) 82 casualties. If now the senior officer in each of the years mentioned be moved up a number of places in the Civil List, corresponding to that of casualties, as calculated, it will be found that his position at the end of 3, 6 and 9 years will be as follows:—

A. After 3 years—

The senior officer now in his 9th year will have reached the place corresponding to that now held by the 8th officer in his 12th year.

Ditto ditto 8th ditto 4th ditto 11th „

Ditto ditto 7th ditto 8th ditto 10th „

Ditto ditto 6th ditto 7th ditto 9th „

Ditto ditto 5th ditto 7th ditto 8th „

B. After 6 years—

Ditto ditto 9th ditto 6th ditto 15th „

Ditto ditto 8th ditto 1st ditto 14th „

Ditto ditto 7th ditto 2nd ditto 13th „

Ditto ditto 6th ditto 9th ditto 13th „

Ditto ditto 5th ditto 5th ditto 12th „

C. After 9 years—

Ditto ditto 9th ditto 5th ditto 18th „

Ditto ditto 8th ditto 11th ditto 18th „

Ditto ditto 7th ditto 8th ditto 17th „

Ditto ditto 6th ditto 5th ditto 16th „

Ditto ditto 5th ditto 4th ditto 15th „

From this calculation it would appear that at the end of three years the position of all the officers in the years examined may be expected to deteriorate slightly, that after six years their position will probably be in some cases better and in some worse than it is at present, and that after 9 years their position will, on the whole, show a slight improvement. The improvement is, however, at best one of not more than 4 or 5 places and depends entirely on the number of *superior* appointments being maintained at its present total, whilst the calculation is liable to further falsification by a decrease in the number of casualties or an increase above 25 in that of officers remaining on duty after they have served the full period necessary to earn their pension.

Taking all this into consideration, it does not seem too much to say that the prospects of any substantial acceleration in the present rate of promotion during the next decade are remote.

ANNEXURE IV.

List showing the number of officers recruited in each year.

Year of service.	Number of officers.		Year of service.	Number of officers.	
36th	1		17th	10	
35th	3		16th	8	30
34th	2		15th	12	
32nd	4				
30th	1		14th	8	
29th	1		13th	11	
28th	2		12th	11	
27th	3		11th	6	53
26th	6		10th	7	
25th	6	42	9th	7	
24th	6		8th	9	
23rd	4				
22nd	15		7th	7	
			6th	7	
21st	8		5th	6	
20th	7		4th	9	59
19th	7	34	3rd	10	
18th	12		2nd	9	
			1st	11	

APPENDIX II.

Officials, non-officials, and associations in the United Provinces who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages V—XL of this volume, but who were not orally examined.

(*a*)—Officials.

(1) Sir G. E. Knox, I.C.S., Puisne Judge, High Court.
(2) S. P. O'Donnell, Esq., I.C.S., Secretary to Government.
(3) W. Tudball, Esq., I.C.S., Puisne Judge, High Court.
(4) H. R. C. Hailey, Esq., I.C.S., Director of Land Records and Agriculture.
(5) H. V. Lovett, Esq., I.C.S., Commissioner, Lucknow.
(6) P. Wyndham, Esq., C.I.E., I.C.S., Collector, Mirzapur.
(7) H. G. S. Tyler, Esq., I.C.S., Collector, Cawnpore.
(8) A. B. fforde, Esq., I.C.S., Deputy Commissioner, Lucknow.
(9) G. G. Sim, Esq., I.C.S., Chairman, Municipal Board, Cawnpore.
(10) Khan Bahadur Aziz-ud-din Ahmad, Revenue Member, State Council, Bharatpur.
(11) Saiyid Hidayat Ali, Officiating Sub-Judge, Gorakhpur.
(12) Khan Bahadur Saiyid M. Hadi, Deputy Commissioner.
(13) Maulvi Ghani Muhammad Khan, Deputy Collector.
(14) Rai Bahadur P. Joshi, District and Sessions Judge, Banda.
(15) K. Sen, Esq., Officiating District and Sessions Judge, Moradabad.
(16) M. M. Lal, Esq., Assistant Record Officer.
(17) Rai Bahadur Pandit M. Hukku, Sub-Judge.
(18) Syed M. Raza, Munsif.
(19) Rai Bahadur Pandit Kanhaiya Lal, Additional Judicial Commissioner, Lucknow.
(20) Pandit G. Sahai, Junior Secretary, Board of Revenue.
(21) Sir G. H. Richards, Chief Justice, Allahabad.

(*b*)—Non-officials.

(22) Raja Sir Tasadduq Rasul Khan, K.C.S.I., Raja of Jehangirabad.
(23) Pandit G. N. Misra, Vakil, High Court, Lucknow.
(24) Raja Raghuraj Singh, Raja of Mankapur.
(25) Maulvi Nasir-ud-din Hasan, Barrister-at-Law.
(26) His Highness the Nawab of Rampur, G.C.I.E., G.C.V.O.
(27) Rai Bahadur Krishna Sah, C.I.E., Honorary Magistrate.
(28) Muhammad Ishaq Khan, Esq., Honorary Secretary, Muhammadan Anglo-Oriental College, Aligarh.

(29) Moti Chand, Esq., Landowner.
(30) Rai Bahadur Lall Baij Nath, Retired District and Sessions Judge.
(31) Thakur Surj Bakhsh Singh, Taluqdar.
(32) J. H. Abbott, Esq., Engineer and Contractor, Cawnpore.
(33) Pandit Tej Bahadur Sapru, Vakil, High Court.
(34) Pandit Bishan Narayan Dar, Vakil, High Court.
(35) Sheikh Mushir Hussain Kidwai, Barrister-at-Law, Gadia.
(36) Rai Bahadur Pandit Ganga Prasad Varma, Editor, "*Advocate.*"
(37) Ibn-i-Ahmad, Esq., Vakil, High Court.
(38) F. X. S. Rikh, Raja of Tajpur.
(39) Rao Raghu Raj Singh, Zemindar, Bajgashi.
(40) A. W. Ward, Esq., Professor, Canning College, Lucknow.

(*c*)—Associations.

(41) All-India Moslem League (Syed Wazir Hasan).
(42) British Indian Association, Oudh.
(43) Arya Pritinidhi Sabha (Pandit M. M. Seth).
(44) Anglo-Indian Association, Allahabad (C. T. Robbie, Esq.).

APPENDIX III.

Officials, non-officials, and associations in the United Provinces who furnished written answers to the interrogatories printed on pages V—XL of this volume in response to a notification published in the Gazette, but who were not orally examined.

(*a*)—Officials.

(1) J. R. Pearson, Esq., I.C.S., Collector, Meerut.
(2) D. Dewar, Esq., I.C.S., Officiating Collector, Pilibhit.
(3) W. Raw, Esq., I.C.S., Inspector-General of Police.
(4) E. P. Fawcett, Esq., I.C.S., Officiating Additional Judge, Basti.
(5) Pandit K. Prasad, Deputy Collector, Ghazipur.
(6) Maulvi Rafi-ud-din Ahmad, Deputy Collector, Meerut.
(7) Maulvi M. H. Khan, Minister, Baoni State.
(8) Maulvi R. K. Aga, Munsif, Benares.
(9) Pandit P. Behari, Munsif, Basti.
(10) Lala G. S. Mathur, Munsif.
(11) Pandit S. B. Misra, Dewan, Chhatarpur State.
(12) R. Chand, Esq., Deputy Collector, Meerut.
(13) P. C. Banarji, Esq., Puisne Judge, High Court.
(14) E. M. D. Chamier, Esq., Judge, High Court.

(*b*)—Non-officials.

(15) Govinda Das, Esq., Benares.
(16) Syed A. B. Bilgrami.
(17) Haji Nawab Muhammad Ismail Khan, Agra.
(18) Syed Habibullah.
(19) Raja Rampal Singh, C.I.E., Taluqdar.
(20) J. Simeon, Esq., Vakil, High Court.
(21) L. V. Joshi, Esq., Oxford and Cambridge Hostel, Allahabad.
(22) N. G. Nulimsh, Esq., Cawnpore.

(*c*)—Associations.

(23) Bar Association, Bareilly (B. Pershad, Esq.).
(24) Bar Association, Agra (Pandit G. S. Sharma).
(25) Kayasth Sadar Sabha.

INDEX.

UNITED PROVINCES.

The Numbers refer to Questions.

A.

Abdul Majid, Nawab Muhammad, evidence of 44,494–638

Abdullah, *ibn* **Yusuf Ali, Khan Bahadur,** I.C.S., evidence of - - - - - - 42,603–3,000

Accountant-General, complete account of leave taken by individuals kept by, and work entailed, *Yusuf Ali* - - - - - - - 42,742, 42,745–7

Accounts Department, reservation of posts for Anglo-Indians in, *Muhammad Ali* - - - - 47,819

Acting allowances (*see under* Pay, I.C.S.).

Administration:
- Aims and ideals of English administration in India, and Indian point of view in connection with, *U.P. Congress Committee* - - - - - 43,188
- Antagonism of class prejudice not appreciable in, particulars, *Piggott* - - - - - 47,711–7
- British tone and characteristics desired in, *Ledgard*, 42,479, 42,489–90, 42,523; *Sheo Prasad*, 46,195, 46,221, 46,246; *Moti Lal Nehru*, 46,446; *Natthi Mal*, 46,665; *Piggott*, 47,517; *Lindsay*, 48,271.
- Contentment of people under, necessary for success and efficiency of, *Ledgard* - - - - 42,494
- Continuance on present lines advocated, *Burn* 44,665
- Disturbance of, would upset vast amount of capital invested in India by Britishers, and confidence in, should be preserved to secure continuance of credit, *Ledgard* - 42,479, 42,524–5, 42,528–9, 42,535–42
- Efficiency first consideration, *Ledgard* - 42,479(1), 42,488, 42,491, 49,597–8
- Efficiency could be maintained by Indians if right class of men obtained, *Yusuf Ali* - - 42,873
- European character necessary for, *Clay* 47,058, 47,072
- European system has become an Indian system by now, though based on Western principles, *Saiyid Nabi-ullah* - - - - - 46,937, 46,939 40
- Increase in complexity of, *Campbell*, 47,356; *Lindsay*, 48,271; *Clay*, p. 465.
- Progress of India under British, *Malaviya* - 43,173
- in a Stage of transition, and particulars, *Ledgard*, 42,497–500; *Marris*, 44,115–7, 44,192–7.
- Successful co-operation of Europeans and Indians essential to, *Holland* - - - 45,093, 45,138–9
- Top-heavy, and further deterioration in lower ranks would be disastrous to, *Muhammad Ali* 47,838, 47,857, 47,932–41, 48,000–11
- on Western lines, essential, *U.P. Congress Committee* 43,189, 43,201

Age limits (*see under* Indian Civil Service Examination).

Age of arrival in India (*see under* Recruitment, I.C.S.).

Agriculture:
- Chief occupation of the province, *Baillie* - 42,410
- Director of land records and (*see that title*).

Ali, Khan Bahadur Abdullah *ibn* **Yusuf,** evidence of 42,603 3,000

Ali, Muhammad, evidence of - - 47,815–8,137

Ali, Syed Riza, B.A., LL.B., evidence of 45,260–410

Aligarh:
- College, belief that literary talents implied weakness in science and mathematics, particulars *re*, *Muhammad Ali* - - - - - 48,064–7
- Law school at, *Yusuf Ali* - - - - 42,960

Allahabad:
- Law school at, *Yusuf Ali* - - - - 42,960
- University, Vice-Chancellor privileged to nominate two graduates for appointment to Deputy Collectorships, *Sundar Lal* - - 43,436, 43,737–9

All India Muslim League, views of, *re* simultaneous and separate examinations, *U.P. Congress Committee*, 43,189; *Abdul Majid*, 44,600–6; *Riza Ali*, 45,311–4.

Allowances (*see under* Leave *and* Pay).

Anglo-Indians and domiciled Europeans, many in public Services, and particulars *re* ability and position, *Baillie*, 42,335–8; *Burn*, 44,990–1.

Annuities (*see* Pensions).

Appointment (*see* Recruitment).

Arabic and Sanskrit (*see under* Syllabus *under* Indian Civil Service Examination *and under* Course of Study *under* Probation).

Assistant Collectors (*see* Collectors, Assistant).

Assistant Government Advocates (*see under* Government Advocates).

Assistant Magistrates (*see under* Magistrates).

Assistant Sessions Judges (*see under* Judges, Assistant Sessions).

B.

Backward Communities (*see under* Communities).

Baillie, Duncan Colvin, C.S.I., I.C.S., evidence of 42,043–478

Bajpai, Pandit Titla Prasad, evidence of 44,283–493

Balwant Rajput High School, many former pupils of now in P.C.S., *Khushalpal Singh* - - 43,108–10

Bar, Indian:
- Barristers in mufassal, appear before Subordinate Judges and District Magistrates indiscriminately, *Moti Lal Nehru* - - - - - - 46,637
- Best men prefer, to Provincial Judicial Service, reasons and remedies suggested, *Sundar Lal*, 43,444, 43,502, 43,666, 43,741, 43,746–9, 43,754 5; *Sitla Prasad Bajpai*, 44,337; *Lindsay*, 48,347.
- Best cases sometimes monopolised by higher branches of, *Burkitt* - - - - - - 46,162–3

CAPABILITY OF, COMPARISON WITH
- European bar, *Yusuf Ali* - - - 42,865–6
- I.C.S., *Yusuf Ali* 42,864, 42,909, 42,913–15, 42,918
- P.C.S., *Sri Ram*, 45,782–6, 45,796–9; *Campbell*, 47,476–7.

Civil work preferred to criminal work by, *Moti Lal Nehru* - - - - - - - - 46,634

EUROPEAN MEMBERS:
- Decrease in, and reasons, *Sundar Lal*, 43,478–9; *Piggott*, 47,632–4, 47,673–4, 47,773 4.
- would be Encouraged to practice, if selection for District Judgeship a possibility, *Piggott* 47,632–3
- Insufficient knowledge of vernaculars a disadvantage in cross-examining, *Piggott* 47,771–4
- Number in High Court at Allahabad and in mufassal, *Sundar Lal*, 43,631*a*–33; *Burkitt*, 46,113.

Exceptions should be made in two years' rule by High Court, in some cases, where appointments as officiating munsifs accepted, *Khushalpal Singh* 43,152

E (5)22768 2750 7/14 E & S

Bar, Indian—*continued.*
Experience in criminal work, particulars *re*, *Sundar Lal* - - - - - - - - 43,689 91
Improvement in, particulars, *Campbell* 47,475, 47,483
Incomes earned at, particulars, *Sheo Prasad* - 46,261
Lucknow, particulars *re* practice in court of Joint Magistrates and Deputy Magistrates, *Saiyid Nabi-ullah* - - - - - - - 47,050 1
Members often ignorant of social conditions of country, outside large towns, particulars *re*, *Piggott* 47,625, 47,666–72, 47,722
Members sometimes accept posts as munsifs, and then return to the Bar and complain of spoilt practice. *Burkitt* - - - - - - - - 46,167
Progress made by, and strong bench should be maintained to cope with, *Lindsay* 48,436 8, 48,445 8
Permeated by British ideals and traditions, *Moti Lal Nehru* - - - - - - 46,458, 46,548
Recruitment from (*see under* Judicial Branch).
United Provinces, library, particulars *re* and books necessary for use of members of Bar, *Burkitt* 46,071–9
Value of, to Joint Magistrate, *Burkitt* - 46,065–7

Baroda, system of class representation in, *Muhammad Ali* - - - 47,815, 48,045–7, 48,076–7, 48,079–80

Board of Revenue:
Jurisdiction extended over Executive Branch, P.C.S., in Province of Oudh, *Sitla Prasad Bajpai* - 44,374
MEMBERS:
Inclusion of one among Listed Posts, *Sundar Lal* 43,416
Number of posts, *Burn* - - - p. 201, 202
Reservation of posts as, for Europeans, advocated, *Abdul Majid*, 44,511, 44,559, 44,561; *Moti Lal Nehru*, 46,458.
PAY:
Amount, *Burn* - - - - - p. 201, 202
Differentiation between European and Indian members, advocated, *Malaviya* - 43,373–4
SECRETARIES:
Appointment of Indians of good family to, advocated, *Abdul Majid* - - - - 44,560
Inclusion of one among Listed Posts, advocated, *Sundar Lal* - - - - - - - 43,416
Joint:
First grade of Magistrates and Collectors cannot be attained by, *Burn* - - - - 44,649
Listed in Agra and Oudh, *Sri Ram* - 45,582
Junior:
Post held by Deputy Collector, *Sri Ram* 45,617
Salary and yearly increment, suggestion, *Khusalpal Singh* - - - - - 43,009

British Indian Association:
Oudh, particulars *re*, *Shahid Husain* - 45,464–6
Views of, represented in evidence of Shaikh Shahid Husain, *Shahid Husain* - - - 45,535–9

Burkitt, William John Dwyer, I.C.S., evidence of 45,856–46,191

Burn, Richard, I.C.S., evidence of - 44,639 45,089

C.

Calcutta, application for reduction of standard on number of Indians failing in examination at, *Sundar Lal* - - - - - - - - - 43,558

Campbell, John Stratheden, C.S.I., C.I.E., I.C.S., evidence of - - - - - - - 47,356–493

Castes, representation of in public Service (*see* Class representation *under* Recruitment).

Casualties, I.C.S.:
Abnormal number in United Provinces and particulars, *Clay* - - - - - p. 463–4
Cases of paralysis and, particulars, *Sundar Lal* 43,781–2
Number and particulars of, in recent years, *Burn* 44,649

Casualties, P.C.S., percentage and decrease, reasons, *Burn* - - - - - - - 44,659, p. 210

Cawnpore, population and employment in factories, statistics, *Ledgard* - - - - - 42,527

Chaudhri Maharaj Singh, Rai Bahadur, evidence of 48,138–270

Christians, Indian, particulars *re*, *Saiyid Nabi-ullah* 46,853–4, 46,979

City Magistrate (*see under* Magistrates).

Clay, Joseph Miles, I.C.S., evidence of - 47,054–355

Clerical Service:
Appointments to Judicial Branch rarely made from, *Burn* - - - - - - - - 45,014
Promotion to P.C.S. not advocated, *Yusuf Ali* 42,997

Collectors and District Magistrates:
Alteration of title to Deputy Commissioner not advocated, *Marris* 43,884, 44,004–5, 44,127–30
Abuses in use of preventive sections of Criminal Procedure Code in actions against landowners and zamindars, not known of, *Marris*, 44,125–6, 44,143–5; *Piggott*, 47,730.
Additional, appointment not advocated, and no need for, *Piggott* - - - - - 47,639–42
more Books of reference needed by, and personal assistant such as shorthand writer advocated for, *Marris* - - - - - - - 43,884
should be Consulted with regard to economies in District Establishments, *Muhammad Ali* - 47,857
Deputy Collectors officiating as (*see under* Collectors, Deputy).
more Desk work and more association with people than formerly, and much harder work done by, *Baillie* - - - - - - 42,475–8
Difference between work of Joint Magistrate and Deputy Collectors depends on, *Burn* - 45,078–83
Difference in districts controlled by, causes difference in work, *Yusuf Ali* - - - - 42,768
Functions and powers, particulars, *Marris*, 43,883, 44,081–4, 44,089–126, 44,101–18, 44,231; *Burn*, 44,651.
Grades and number and percentage of appointments, *Burn* - - - - - - - p. 202
Greater part of average Civilian's official life spent as, and position with relation to Government should be strengthened, *Yusuf Ali* - - 42,677
Head of the police and controller of subordinate magistracy, and grave objections to principle *U.P. Congress Committee* - - - - 43,190
Improvements in districts can be largely initiated by, *Muhammad Ali* - - - - 48,074–5
INTERFERENCE WITH WORK OF DEPUTY COLLECTORS:
None known, *Chaudhri Maharaj Singh* - 48,268
Complaints of, and particulars, *Muhammad Ali* 47,876, 48,100–13
JUNIOR CIVILIANS, TRAINING OF, BY:
Advantages of system, *Piggott* - - - 47,543
Collector too busy to spare time for, *Sheo Prasad*, 46,211; *Clay*, 47,089.
Importance of, *Campbell* - - - - 47,259
Selection of Collector carefully made, *Baillie* 42,386–7
LISTING OF POSTS AS:
not Approved, *Campbell* - -47,356, 47,379
Increase desired, *Khushalpal Singh*, 43,009; *Sundar Lal*, 43,416; *Sri Ram*, 45,617; *Sheo Prasad*, 46,221; *Moti Lal Nehru*, 46,458, 46,464, 46,528–30; *Clay*, 47,076; *Chaudhri Maharaj Singh*, 49,144.
Present number, *Sundar Lal*, 43,436; *Sitla Prasad Bajpai*, 44,330; *Sri Ram*, 45,583.
Selection before the age of 45, advocated and scheme for, *Sitla Prasad Bajpai* - - 44,330
Madras, percentage in higher grades too large, *Muhammad Ali* - - - - - - - 47,857
Magisterial work and powers, and no overwork in connection with, *Piggott* - - - - 47,641
Men passed over for Commissionerships, inefficient as, *Yusuf Ali* - - - - - 42,826–7
Money for general beneficent purposes should be entrusted to, *Marris* - - - - - 43,884

Collectors and District Magistrates—*continued.*
Nomination for post of Government Pleader or Public Prosecutor always made by, *Yusuf Ali* 42,858
Number of, *Burn* - - - - - - - p. 202
Officiating, system of appointment of Deputy Collectors as, abolished, and present arrangements, *Sheo Prasad* - - - - - - 46,434–7
One quarter posts as, might be filled by Indians during next 10 15 years, but no suitable men at present, *Burkitt* - 45,863, 45,917–21, 45,935–7
Overworked, *Sheo Prasad* - - - - - 46,211

PAY:
Complaint *re* insufficiency of, from Kumaun and Dehra Dun, *Burn* - - - - - - 44,650
Garhwal and Almora, particulars *re*, *Yusuf Ali*, 42,708–10; *Burn*, 44,649, 44,727–8, 44,888–90; p. 201.
Increase advocated, *Burn* - - - - 44,650
Minimum of Rs. 1,833 advocated, and particulars *re* expenses, *Marris* - - - - 43,885–6
Naini Tal, pay, *Burn* - - - - - - p. 201
Rates of, and grading, for years 1870, 1880, 1890, 1900, 1912, *Burn* - - - p. 201, 202, 203
should Vary according to Districts held, *Clay*, 47,330–1; *Lindsay*, 48,274.

POLICE DUTIES:
could be Carried on perfectly well by, without judicial functions, *Sundar Lal* - 43,672–4
Particulars *re*, and, *Yusuf Ali*, 42,719–20; *Marris*, 43,883, 44,043, 44,089–94, 44,119–20.
Power to try criminal cases, but appeal from sentence of, to Sessions Judge permitted, *Burn* - 44,651
Prosecutions under control of, procedure *re*, *Sundar Lal* - - - - - - 43,678–83
Rent cases tried by, in certain provinces, *Sundar Lal* 43,772
Reservation of posts for Europeans, advocated, *Abdul Majid* - - 44,511, 44,559, 44,561–2
Reservation of posts of, for I.C.S., advocated, *Malaviya*, 43,172; *Moti Lal Nehru*, 46,458, 46,528.

SEPARATION OF EXECUTIVE AND MAGISTERIAL POWERS:
Advocated, *U.P. Congress Committee* - - 43,190
not Advocated, and reason, *Baillie*, 42,380 1; *Clay*, 47,098; *Piggott*, 47,731–2.
Supervision of courts by, satisfactory, and value of experience in connection with Revenue cases and executive control of the Police, *Baillie* 42,093, 42,340–1, 42,443, 42,451

SUPERVISION OF SUBORDINATE MAGISTRATES:
Control over Honorary Magistrates, importance of, and particulars, *Marris* 43,883, 44,095–100
undue Influence over decision of cases by Subordinate Magistrates:
sometimes Alleged, and remedy suggested, *Sri Ram*, 45,749–52; *Piggott*, 47,560, 47,677–8.
not Exercised by, *Baillie*, 42,444, 42,446; *Marris*, 44,121; *Clay*, 47,314–8; *Piggott*, 47,725–30.
not Generally apprehended, *Moti Lal Nehru* 46,568 74
sometimes Insist on more thorough inquiry *re* cases, *Piggott* - - - - - - 47,726

TOURING BY:
Advantages, *Burn* - - - - 44,659
Particulars of, *Moti Lal Nehru* - - 46,577–83
Transfer of cases, no instances of abuse of power known, *Marris*, 44,122 4; *Piggott*, 47,729.
(*see also* Deputy Commissioner).

Collectors, Assistant:
Advance by Government for purchase of furniture, horses, &c. not usually taken advantage of, but tents supplied, *Baillie* - - - 42,382–5
Bombay, first-class officers by travelling allowance rules, *Sheo Prasad* - - - - - 46,244
Honorary, appointment of landholders as, advocated, *Khushalpal Singh* - - - - - 43,081
Number, particulars *re* grades and percentage of appointments, *Burn* - - - - p. 201, 202

Collectors, Assistant—*continued.*
PAY:
Particulars of, *Burn* - - p. 201, 202, 44,980
Pecuniary difficulties and increase of advocated, *Baillie*, 42,388–9; *Clay*, 47,100, 47,135–44, 47,161–76, 47,257–8, 47,260–4.

TRAINING:
Improvement in, required, and scheme, *Clay* 47,089, 47,181–5
Satisfactory as a rule, *Baillie* - - - 42,386

Collectors, Deputy:
Appointments as District and Sessions Judge and Assistant Sessions Judge might be given to, *Yusuf Ali*, 42,999; *Khushalpal Singh*, 43,053, 43,147; *Shahid Husain*, 45,557–9.
Better suited for judgeship than members of Indian Bar, *Yusuf Ali* - - - - - - 42,864
Best type recruited from Subordinate Service, but average better amongst men recruited direct, *Baillie* - - - - - - - 42,270–71
Bigger establishment required by, than by munsif, and arrangement and particulars, *Sri Ram* 45,683–4, 45,807–14, 45,826–37
Combination of executive and judicial functions satisfactory, *Marris* - - - - - 43,938
Comparison with subordinate judges, *Sheo Prasad* 46,313–30
Competition with members of Bar or subordinate service for judicial appointments should not be allowed, *Sitla Prasad Bajpai* - - - 44,316
Confidence felt in, by people, *Khushalpal Singh* 43,130
not Consulted by members of I.C.S. now as formerly, *Muhammad Ali* - - - - - - 48,095–6
Creation of grade in listed posts suggested on Rs. 1,000–1,200 to adjust difference in number of listed posts held by Judicial and Executive Branches, *Clay* - - - - - - 47,076
Deterioration in status of, but prospects improving, particulars, *Shahid Husain* - - 45,560–2
no Distinction between Assistant Collectors and Joint Magistrates and, in distribution of work advocated, *Muhammad Ali* - 47,875, 48,110
Drudgery work done by at present, and more independence and relief from subordination advocated, *Sri Ram*, 45,617, 45,743 52; *Muhammad Ali*, 47,876, 48,101–13.
Duties and functions of, *Burn*, 44,659, 44,792; *Riza Ali*, 45,264; *Sheo Prasad*, 46,226, 46,275, 46,404–8; *Chaudhri Maharaj Singh*, 48,234–5.
Equal to Munsifs and Sub-Judges as far as legal attainments go, *Chaudhri Maharaj Singh* - 48,234
Executive work an advantage in case of appointment of, to judgeship, *Baillie* - - - - 42,453
Extension of powers in appointments and dismissals, scheme not objected to, *Marris* - - 44,280–2
Extra expenses not of much importance in higher grades, *Sri Ram* - - - - - 45,848 9
Feeling in Service *re* promotion of inexperienced judicial officers over heads of, *Chaudhri Maharaj Singh* - - - - - - - 48,269–70
First class, should be invested with powers of Assistant Sessions Judges, and reasons, *Piggott* 47,560, 47,761–3
only Four, holding other posts and particulars, *Sri Ram* - - - - - - - - 45,617
Grade of Rs. 600 really a listed post, but many members of P.C.S. do not know it, and anomaly of, *Campbell* - - - - 47,378, 47,472
Grade counts for nothing as regards work of, *Baillie* 42,471
Grades, percentage in different, particulars, and inadequate number in higher grades, *Muhammad Ali* - - - - - - - 47,857, 47,868
Graduates can obtain posts as, at once on entering Executive line, *Malaviya* - - - 43,384–5
Honorary, four posts as, and men to be appointed Probationary Deputy Collectors on vacancy, *Sheo Prasad* - - - - - - - - 46,205

Collectors, Deputy—*continued.*
Importance of position and work of, with regard to masses and tenant classes, and particulars, *Sheo Prasad* - - - - - - - - - 46,224
Increase and onerous character of work, *Chaudhri Maharaj Singh* - - - - - - - 48,143

JUDICIAL WORK:
not Approved, *Campbell* - - - - 47,485
Criminal cases often carelessly tried, *Natthi Mall* - - - - - 46,713, 46,728-31
Criminal work well done as a rule, *Piggott* 47,800-1
done First of all, and preference given to, over executive work, *Sheo Prasad* 46,278, 46,427-8
Good work might be done by certain brilliant exceptions, *Saiyid Nabi-ullah* - - 47,029
not Known to be hopelessly bad, *Yusuf Ali* 43,000

KUMAUN:
Civil work done by, particulars, *Burn*, 44,658-9; *Campbell*, 47,466-7; *Piggott*, 47,809-11.
Civil law prescribed in case of, *Burn* - 44,658, 44,659, p. 211
work of Subordinate Judges and Munsifs done by, but Subordinate Judges to be appointed, *Campbell* - - - - - - 47,466-7
Last attempt to appoint District Judge from, particulars, *Sitla Prasad Bajpai* - - 44,455-6

LEAVE:
Full amount on full pay often not taken, and reason, and leave on half pay only taken for illness or business, *Marris* - - 43,948-9
Medical, two years not often taken by, *Sheo Prasad* - - - - - - - 46,303-4
Listed posts scheme would be appreciated by, *Burn* 45,018-20
do not Live long after retirement, and reason probably hard work, *Sri Ram* - - - 45,850-2
Number, *Sitla Prasad Bajpai*, 44,320, 44,657; *Burn*, 44,908.
Number of those whose service will be up in 10 years, and all could not possibly reach highest grade in that time, *Sheo Prasad* - - - 46,219
can Officiate for an Indian Civil Service officer only if no I.C.S. officer available on the spot, *Burn* 45,084

OFFICIATING APPOINTMENTS AS COLLECTORS:
Abolished, and particulars *re* present system and arrangements, *Sheo Prasad* - - 46,434-7
Recommended, *Marris* - - - - 44,279
only Two at present acting as Deputy Commissioners, and details, *Campbell* - - 47,417-20
Overworked, and increase of posts advocated, and scheme, *Khushalpal Singh*, 43,082-3; *Sheo Prasad*, 45,850-2, 46,222, 46,232, 46,277-80, 46,426.

PAY:
Adequate, *Baillie* - - - - - - 42,459
Allowance should be made to, when serving as assistant settlement officer, *Sri Ram* - 45,617
Differentiation from Munsifs, particulars and reasons for, *Burn* - - 45,027-36, 45,045-9
Inadequate, and increase advocated, and suggestions, *Khushalpal Singh*, 43,156; *Marris*, 43,830, 44,256; *Riza Ali*, 45,276; *Sri Ram*, 45,612, 45,683-5, 45,832-4; *Sheo Prasad*, 46,226, 46,228, 46,275, 46,333-4; *Moti Lal Nehru*, 46,491; *Campbell*, 47,356, 47,392-3.
New scale just sanctioned, details of, and disadvantages, *Burn* - - - - - 45,064-8
Rates of, statement, *Sheo Prasad* - - 46,205
Rates of, and grading, for years 1863, 1870, 1880, 1890, *Burn* - - - - - - - p. 203
Time-scale, scheme for, *Sheo Prasad* - 46,228, 46,333-4
Police recruited for, satisfactory, but not many, and reason, *Baillie* - - - - - - 42,461-2
Post refused by Opium officers owing to decrease of pay implied by, *Baillie* - - - - 42,456-8
Probation, details, *Burn* - - 44,658, 44,659

Collectors, Deputy—*continued.*
PROBATIONARY:
Number, *Burn* - - - 44,657, 44,658, 44,659
Officials from subordinate service selected for appointment as, continue to get same pay, *Sheo Prasad* - - - - - - - - 46,232
Pay:
Amount and difference from Munsif, *Burn* 45,028-34
Increase advocated, *Marris*, 43,943; *Sri Ram*, 45,612; *Sheo Prasad*, 46,226.
Rates of, and number of posts in 1912, and some added in 1907, *Sheo Prasad* 46,205, 46,225
Training of, unsatisfactory, and details, *Khushalpal Singh* - - - - - - - - 43,046

PROMOTION:
Difficulty *re*, *Burn* - - - - - 45,068
Particulars, *Sundar Lal*, 43,436; *Marris*, 44,276-8.
Selection should be possible during two stages in career, *Baillie* - - - - - 42,376
no Temporary, in connection with leave, *Baillie* 42,468
Promotion to I.C.S. advocated, *Natthi Mal* - 46,703

PROMOTION TO, FROM SUBORDINATE SERVICE:
Alteration in proportion of, *Burn* 44,659, p. 210
Average age of tahsildars chosen for post is much lower than maximum, but alteration not advocated specially, *Baillie* - - 42,465-6
Better method than competitive examinations, and improvements in arrangements *re*, suggested, *Marris* - - - - - 44,133-40
no Inferiority experienced in work of tahsildars and naib-tahsildars, *Baillie* - - 42,419-21
One-fourth advocated and reason, *Chaudhri Maharaj Singh* - - - - - 48,189, 48,191-2
Pay should not be less than Rs. 250 after passing Departmental examination, *Natthi Mal* 46,692, 46,708-9
Power of reversion, *Burn* - - - 44,659
Tahsildars promoted to, suggestions *re* powers of, *Sheo Prasad* - - - - - 46,211
Proportion of posts in higher grades compares unfavourably with other provinces *Sheo Prasad* 46,226
Prospects, improvement advocated, *Sheo Prasad* 46,226, 46,275, 46,404-8
Recruitment (*see under* Recruitment, P.C.S.).
Revision of cadre, scheme, *Burn* - - 44,657
Scheme for special class of, subordinate to District and Sessions Judge, and doing only judicial work, not advocated, *Burn* - - 44,659, p. 211
Separate lists should be kept of candidates recruited from outside and from subordinate service, *Natthi Mal* - - - - - - - - 46,692, 46,708-9
Staff, particulars *re*, *Sheo Prasad* - 46,222, 46,300
TRAINING:
Extract from Manual of Government Orders *re*, *Burn* - - - - - - - 44,658
Suggestions for, *Chaudhri Maharaj Singh* 48,142
Travelling allowance, inadequate, and first class should be given, *Yusuf Ali*, 42,998; *Sri Ram*, 45,811, 45,813, 45,826, 45,830-4; *Sheo Prasad*, 46,226, 46,232, 46,244, 46,393-4; *Chaudhri Maharaj Singh*, 48,242-50.
Used to fill vacancies in inferior posts held by I.C.S. officers, *Burn* - - - - - - - 44,659
Valuable experience obtained by in exercise of magisterial functions, *Chaudhri Maharaj Singh* 48,232, 48,235

Colonial Civil Service, combination of examination with Home and Indian Civil Service Examinations (*see* Indian Civil Service Examination).

Commerce:
Comparison of prospects in, with those in Civil Service, *Ledgard* - - - - 42,501-17

EUROPEANS IN:
Assistants imported from England, *Ledgard* 42,554
Less pay than members of I.C.S. drawn by, up to 15 or 20 years' service, *Ledgard* - 42,516-7, 42,561-2
Particulars *re* business houses controlled by, *Ledgard* - - - - - 42,544-50
Training, particulars *re*, *Ledgard* - 42,554

Commerce—*continued.*
HEADS OF DEPARTMENTS:
Europeans with the exception of one Parsi, *Ledgard* - - - - - 42,531
Salary, particulars, *Ledgard* - - 42,515
Increase in trade in recent years, especially portion controlled by Europeans, *Ledgard* - 42,543–6
INDIANS:
not Extensively employed in European firms at Cawnpore, *Ledgard* - - - 42,547
no Organised system of training, but special efficiency encouraged, *Ledgard* - 42,551–60
LEAVE:
Annual vacation given, and particulars, *Ledgard* 42,520–2, 42,532–4
Rules, not fixed, but general idea of, and nearly always given on full pay and passage one way or both ways sometimes paid by firm, *Ledgard* 42,518–9
Partnerships, larger increment received in, than in high posts of I.C.S., and details *re* promotion to, *Ledgard* - - - - - - - 42,562–6
PAY:
Better than in I.C.S. in higher posts, and particulars *re*, *Ledgard* - - - 42,501–17
Increase in, considerable, *Ledgard* - - 42,550
no Time-scale as a rule, but promotion according to efficiency, *Ledgard* - - - 42,513–4
Tendency for increase in employment of domiciled Europeans, but not of Indians, *Ledyard* 42,547

Commissioners:
Admission of Indians to posts as, not objected to, *Sri Ram* - - - - - - - - 45,704
All Executive officers above rank of, should receive special pensions after five years' service, *Clay* 47,112
Functions, *Yusuf Ali*, 42,824–7; *Sundar Lal*, 43,770.
no Indian ever posted permanently as, and particulars *re*, *Muhammad Ali* - - 47,862, 48,114–7
Listing of one post as, recommended, *Sundar Lal* 43,416
Listing of one post as, recommended by Government with certain reservations and endorsed by Secretary of State, *Sheo Prasad* - - - - 42,622
Members of P.C.S. should be promoted to posts of, *Muhammad Ali* - - - - - - 47,970
Number, *Burn* - - - - pp. 201, 202, 203
One candidate for Deputy Collectorship recommended by, details, *Sundar Lal* - - 43,436
PAY:
Amounts, *Burn* - - - - pp. 201, 202, 203
Difference between that of Collector and, *Marris* 43,886
Equal, for Europeans and Indians, not advocated, *Malaviya* - - - - - - - 43,362
Rates of, and grading, for years 1863, 1870, 1880, 1890, 1900, 1912, *Burn* - - - - p. 203
Pressure on, owing to cost of living and suggestion for increase of salary, *Burn* - - - 44,650
Promotion to, particulars *re*, *Yusuf Ali*, 42,824–7; *Burkitt*, 46,088 93.
Reservation of all posts for Europeans, advocated, *Abdul Majid* - - - 44,511, 44,559, 44,561
Reservation of posts for I.C.S. advocated, *Malaviya*, 43,172; *Moti Lal Nehru*, 46,458, 46,627.
Sufficient authority commanded by, without any magisterial authority, *Sundar Lal* - 43,685–7
might be Unit of administration if cadre of I.C.S. reduced, *Yusuf Ali* - 42,677, 42,725–6, 42,900
Unnecessary in provinces with Boards of Revenue, *Moti Lal Nehru* - - - - - - 46,458

Commissioners, Assistant:
1st Grade, increase of number, *Burn* - - 44,649
Head, recruited from ministerial service, and members of P.C.S. should be selected in future, and reasons, *Sri Ram* - - - - 45,617
Pay and number, *Burn* - - - - p. 201, 202
Pay, rates of, and grading, for years 1870, 1880, 1890, 1900, 1912, *Burn* - - - - - p. 203

Commissioners, Deputy:
Amalgamation of 2nd Grade with District Magistrates 2nd Grade advocated, *Burn* - - 44,650

Commissioners, Deputy—*continued.*
Complaint *re* insufficiency of pay, when occupying post of District Officer, *Burn* - - - 44,650
(*see also* Collectors and District Magistrates.)

Commissioner of Excise:
Assistant, post held by Deputy Collector, *Sri Ram* 45,617
Pay, rates and grading, in year 1880, *Burn* - p. 203

Commissioners, Extra Assistant (*see* Deputy Collectors).

Commissioners, Judicial:
ADDITIONAL:
Appointment from Judicial Branch, P.C.S., *Sitla Prasad Bajpai* - - - - - - 44,332
Pay and particulars *re* appointment, *Burn* p. 201, p. 202, 44,882
Consulted in selecting men for judgeships, *Burn* 44,838
Equal pay for officers of P.C.S. or I.C.S. holding post of, advocated, *Burn* - - - - - 44,653
Pay and number, *Burn* - - - - p. 201, 202
Pensions, special should be given to, after five years' service, *Clay* - - - - - - - 47,112
REGISTRAR OF COURT OF:
Listing of post advocated, *Sitla Prasad Bajpai*, 44,301, 44,332; *Sri Ram*, 45,651; *Sheo Prasad*, 46,221; *Chaudhri Maharaj Singh*, 48,144.
Pay, *Burn* - - - - - - - - p. 201
Selection, details and particulars *re* candidates, *Burn* 44,644

Communities:
BACKWARD:
Many possessed of administrative capacity, and reservation of posts for, advocated, *Muhammad Ali* - 47,819, 47,821, 47,881, 47,885, 47,891, 47,948–57, 48,014–21, 48,032, 48,038, 48,069–73
Special favours in respect of class representation would demoralise, and spirit of competition better, *Sheo Prasad* - - - - 46,210
Representation in public service (*see* Class Representation *under* Recruitment).

Conditions of Service, I.C.S.:
INFERIOR POSTS:
Difficulties *re*, and suggestion that number of, should correspond to 39 per cent. on number of superior posts, *Burn* - - 44,649, 44,891
Established more with reference to needs of administrators than of administration, *Muhammad Ali* - - 47,857, 47,932–41, 48,003–8
Number and percentage, particulars *re*, *Burn*, p. 200–1; *Muhammad Ali*, 47,857, 48,087.
System accepted, but limit of Rs. 1,000 should be raised to Rs. 1,400 or Rs. 1,500, *Yusuf Ali* 42,654, 42,663, 42,941
System approved, *Baillie*, 42,091; *Marris*, 43,879; *Burn*, 44,649; *Burkitt*, 45,893; *Clay*, 47,097; *Piggott*, 47,555.
OFFICERS OF OVER TWO AND BELOW EIGHT YEARS SERVICE:
Failure to rise above Rupees 500 grade, particulars and increase in during last year, *Burn* 44,714–5
Lists for 1908 to 1912, *Burn* - - p. 188–99
OFFICERS OF OVER EIGHT YEARS SERVICE:
Lists for 1908 to 1912, *Burn* - - p. 187 200
Particulars *re*, in year 1913, *Burn* - 44,716 7
Tendency to increase posts below Sessions Judge for members of I.C.S. and too many in executive branch also, *Yusuf Ali* - - - - 42,677
QUINQUENNIAL EXAMINATION:
into Prospects and conditions of Indian members, suggested, *Muhammad Ali* - - - 47,862
System suitable, *Marris* - - - - 43,880
System not suitable, *Burn* - - - - 44,649

"SUPERIOR POSTS":
Appointments, methods of, *Burn*, 44,649; *Lindsay*, 48,271.

Conditions of Service, I.C.S.—*continued.*
"SUPERIOR POSTS"—*continued.*
Eight judgeships listed open to P.C.S., and two posts of Magistrate and Collector, for Executive Branch, *Burn* - 44,646, 44,659, 44,670, 44,768-74, 44,858-60, 44,903, 45,021
Number, *Burn* - - - - 44,649, p. 200-1
Number and percentage and too many posts in higher grades, *Muhammad Ali* 47,857, 47,932-41, 48,005-8, 48,087
Pay, not always over Rs. 1,000, examples and grievance *re*, *Burn* - 44,649, 44,721, 44,727-8, 44,888-90, 44,910
Reduction advocated and scheme, *Muhammad Ali* 47,857, 47,933-41, 48,000-11
no Scheme connected with, could be introduced immediately, *Burkitt* - - - - 46,002
Statement of officers over eight years' service, not holding, on first day of the four quarters of the last five years, *Clay* - - - - p. 465
System:
Approved, *Baillie*, 42,089, 42,092; *Burn*, 44,649; *Burkitt*, 45,892; *Clay*, 47,096, 47,106.
Approved if age limit lowered, *Yusuf Ali*, 42,653, 42,656, 42,939; *Marris*, 43,878, 43,998-9; *Piggott*, 47,554.
Broken down, and reasons, *Burkitt*, 45,892, 45,948-50; *Clay*, 47,096, 47,145-6; *Piggott*, 47,557, 47,637.
Difficulties for Administration, *Burn* - 44,649
Established more with reference to needs of administrators than of administration, *Muhammad Ali* - 47,857, 47,932-41, 48,003-8
Temporary, showing of officers recruited against, in lowest grade, works satisfactorily, *Burn* 44,649

Conditions of Service, P.C.S., *Quinquennial Examination, no means of knowing whether it takes place, Muhammad Ali* - - - - - - - 47,857

Co-operative Credit Societies, Registrar of:
ASSISTANT:
One post included among Deputy Collectors cadre, *Sheo Prasad* - - - - - - 46,205
Transference to higher grade, *Burn* - - 44,657
Listing of, advocated, *Sri Ram* - - - 45,651
Pay, *Burn* - - - - - - - - p. 201

Cost of Living, increase in, *Baillie*, 42,424-5; *Ledgard*, 42,479; *Khushalpal Singh*, 43,050, 43,074-5; *Malaviya*, 43,230; *Sundar Lal*, 43,432, 43,444, 43,629; *Sitla Prasad Bajpai*, 44,337; *Abdul Majid*, 44,531, 44,535, 44,638; *Burn*, 44,650; *Sri Ram*, 45,611; *Burkitt*, 45,895, 46,123; *Sheo Prasad*, 46,226, 46,240; *Clay*, 47,107, p. 462, 465; *Campbell*, 47,356, 47,368, 47,394, 47,457, 47,462; *Lindsay*, 48,274.

Council(s):
GOVERNOR GENERAL'S EXECUTIVE:
Admission of Indians to, by Minto-Morley administration, *Malaviya* - - - - 43,173
Appointments on, recently given to Indian lawyers disapproval of, *Muhammad Ali* - 47,862
India, admission of Indians referred to, *Malaviya* 43,173
LEGISLATIVE:
no Elected members in immediate past, and Indian Law not permeated with Indian opinion owing to, *Yusuf Ali* - - - 42,876-7
National interests not preferred to class interests by, and bulk of population not represented in, particulars and disadvantages, *Baillie* - 42,049, 42,291-6

Court Inspector (*see* Public Prosecutor).

Courts:
Civil rent cases come up in, *Sundar Lal* - 43,772-4
District, barristers connected with, particulars, *Yusuf Ali* - - - - - - - 42,914-7
High Court (*see that title*).
Judges (*see that title*).

Cramming:
for I.C.S. Examination objected to, and should be made impossible, *Ledgard*, 42,479; *Holland*, 45,099, 45,101, 45,167, 45,218-20; *Clay*, 47,058, 47,064.

Cramming—*continued.*
would be one Result of simultaneous examinations, *Marris*, 43,823; *Clay*, 47,058.

Crown Prosecutor (*see* Government Pleader).

D.

Decremental Rate (*see under* Recruitment).

Departmental Examination (*see under* Training).

Deputy Collectors (*see* Collectors, Deputy).

Deputy Magistrates (*see under* Magistrate).

Director of Land Records and Agriculture:
ASSISTANT:
Corresponds approximately to grade of Joint Magistrate, *Clay* - - - - - 47,195
Listed post as, in Agra and Oudh, *Sri Ram* 45,582
Personal, post held by Deputy Collector, *Sri Ram* 45,617
Deputy, listing of post advocated, and reasons, *Sheo Prasad*, 46,221; *Chaudhri Maharaj Singh*, 48,144.
Inclusion of post among Listed Posts, advocated, *Sundar Lal* - - - - - - - 43,416
Pay and particulars *re* appointments, *Burn* - p. 201, 44,886-7

District Boards, secretary for more important, should be added to cadre, *Chaudhri Maharaj Singh* 48,143, 48,170-4

District Judges (*see* Judges, District and Sessions).

Districts, preferred to Divisions, as unit of administration, *Yusuf Ali* - - - - - 42,725

Districts, Hill, officers serving in should get equal pay with those in plains, *Campbell* 47,357, 47,401-7

Divisions, might be made unit of administration, if smaller I.C.S. staff desired, *Yusuf Ali* - 42,725-6

Domiciled Community:
in Public services as efficient as others, *Burn* 44,990-1
Reservation of certain posts for, under system of separate examination advocated, scheme, *Muhammad Ali* - - - - - - 47,819, 48,082-5

E.

Education in India:
Central Provinces, transference from jurisdiction of Calcutta University to Allahabad, dissatisfaction *re*, and difficulties owing to slight difference in standards, *Sundar Lal* - - - 43,641-2
Chiefs' College, particulars *re*, *Marris* - 44,070, 44,073-8
Complete system, without necessity of taking course at English University ideal desired, *Saiyid Nabiullah* - - - - - - - 46,958-60
Development of administrative capacity should be one of foremost aims of, and suggestions, *Holland* 45,093, 45,181-3, 45,186
Effect of Simultaneous Examination (*see under* Simultaneous Examination).
Increased cost of, *Sitla Prasad Bajpai*, 44,337; *Sheo Prasad*, 46,226.
MATRICULATION:
Particulars *re* candidates, *Sundar Lal* - 43,556
in Punjab regarded as easier by students, *Sundar Lal* - - - - - - - - 43,638
Nature of, required by Administration, particulars *re*, *Muhammad Ali* - - - - - 48,030-8
Progress of, in recent years, *Riza Ali*, 45,332; *Sri Ram*, 45,611, 45,676-9; *Campbell*, 47,356; *Muhammad Ali*, 47,832; *Chaudhri Maharaj Singh*, 48,140.
Standard higher in England than in India, *Malaviya* - - - - - - - 43,375
Talukdari schools, particulars *re*, *Marris* - 44,070, 44,076, 44,078
Universities (*see that title*).

Educational Department:
Gradual loss of control of, by I.C.S., *Yusuf Ali* 42,677
Pay, better in proportion to age of officer than in I.C.S., *Clay* - - - - - - - 47,162
Schools, Deputy Inspectress of, first-class officers by travelling allowance rules, *Sheo Prasad* - 46,244

Educational Service, provincial travelling allowance, *Sheo Prasad* - - - - - - - 46,244

Engineers:
Apprentice and assistant, first-class officers by travelling allowance rules, *Sheo Prasad* - 46,244

Eurasians (*see* Anglo-Indians).

European Officials:
Cases involving European interests fairly judged by, *Piggott* - - - - - - - - 47,716
Certain districts require European magistrates, reasons and list, *Clay* - - - - 47,072
Comparison with Indians, *Ledgard*, 42,479; *U.P. Congress Committee*, 43,189; *Sundar Lal*, 43,595–602; *Holland*, 45,093; *Riza Ali*, 45,264; *Campbell*, 47,356.
no Danger of Indians outnumbering, at present, *Holland*, 45,093, 45,145; *Sri Ram*, 45,569; *Moti Lal Nehru*, 46,446, 46,459.
EMPLOYMENT OF MINIMUM PROPORTION IN HIGHER POSTS:
Advocated, *Baillie*, 42,063; *Ledgard*, 42,479 (6), 42,582–6; *Khushalpal Singh*, 43,006, 43,018, 43,057; *Marris*, 43,840; *Abdul Majid*, 44,512; *Natthi Mal*, 46,656; *Saiyid Nabi-ullah*, 46,761; *Campbell*, 47,356; *Chaudhri Maharaj Singh*, 48,144.
not Advocated, *Yusuf Ali*, 42,623, 42,870–3; *U.P. Congress Committee*, 43,198; *Sitla Prasad Bajpai*, 44,289, 44,359; *Moti Lal Nehru*, 46,459.
not Advocated, but preponderance desired at present and provided for, *Muhammad Ali* 47,833, 47,907
Desirable, but no fixed proportion advocated, *Sundar Lal*, 43,396, 43,409, 43,457; *Riza Ali*, 45,263–4; *Sri Ram*, 45,579, 45,624–5, 45,703; *Sheo Prasad*, 46,195, 46,198, 46,221–2; *Clay*, 47,072, 47,107, 47,291–2; *Piggott*, 47,517; *Lindsay*, 48,271, 48,402.
not Desirable, but fair proportion always anticipated, *Malaviya* - 43,173, 43,290, 43,293–8
Efficiency should be sole consideration, *Shahid Husain* - - - - - - - - - 45,424
Method of obtaining, particulars, *Saiyid Nabi-ullah* - - 46,815–9, 46,862, 46,866, 46,980
not Possible to maintain with any certainty if simultaneous examinations granted, *Piggott* 47,500
Predominance in higher governing posts necessary, *Burn* - - - - - - 44,639, 44,642
Preponderance of Europeans not desired in administration, and gradual reduction desired and anticipated, *Malaviya* - 43,220, 43,291–8
Indians of lower classes prefer to take cases before, *Marris* - - - 43,849, 44,151–4, 45,243–7
Machinery of administration better understood by, than by an Indian, *Natthi Mal* - - - 46,719
Manner towards Indians objected to, particulars *re*, *Saiyid Nabi-ullah*, 46,769, 46,779, 46,840 3, 46,888; *Muhammad Ali*, 47,844.
Objection to serving under Indians, *Ledgard*, 42,479 (3); *Muhammad Ali*, 47,861, 48,088–91.
Service would consist of about half, if schemes for recruitment followed, and details *re*, *Muhammad Ali* - - - - - - 47,905-8, 47,988–9
Superiority of, over Indians in management of responsible affairs, and preferred by Indians themselves for impartiality in trial of cases, &c., *Ledgard* - - 42,479 (2), 42,578–81, 42,599–601

Examinations:
FRAUDS AND LEAKAGE OF QUESTIONS IN INDIA:
Particulars re, and growth of public opinion would put an end to, *Yusuf Ali* 42,609, 42,750–5, 42,828–35, 42,878–9, 42,894, 42,896–7
Some, but very few cases, and reasons and particulars, *Sundar Lal* - 43,609–24, 43,649–52, 43,692–8
High court vakil examination, no frauds known in, *Sundar Lal* - - - - - 43,622, 43,692
(see also Separate examination and Simultaneous examination.)

Exchange Compensation Allowance (*see under* Pay).

Excise:
Commissioner of (*see that title*).
INSPECTOR-GENERAL OF:
Held by same man as Inspector-Generalship of Registration, *Sundar Lal* - - - 43,792
Inclusion of post among listed posts might be practicable, *Sundar Lal* - - - - 43,793

Executive Branch, I.C.S.:
Better off than Judicial Branch, particulars, *Sheo Prasad* - - - - - - 46,275, 46,311
EUROPEANS, MINIMUM OF:
Sixty per cent. advocated, *Riza Ali* - - 45,264
Two-thirds suggested, *Khushalpal Singh* 43,053, 43,059–60, 43,091
INDIANS:
Appointments withheld from, *Muhammad Ali* 47,862
Good birth, high caste, &c. particularly important with regard to, *Shahid Husain* - - 45,521
Proportion of posts suggested for, *Khushalpal Singh* - - - - - - - - 43,089–91
Judicial functions, combination and separation of (*see under* Judicial Branch).
Knowledge of people gained by officers in, *Piggott*, 47,625–6, 47–688; *Lindsay*, 48,273.
Knowledge of people not really gained by officers, and particulars, *Moti Lal Nehru* 46,555–9, 46,577–83, 46,624–5
Listed posts (*see that title*).
Members other than those in Revenue branch available, as Deputy Collectors, *Baillie* - 42,454–5
Officers should only do executive and revenue work, *Saiyid Nabi-ullah* - 46,789, 46,886–7, 46,916–20
Outsiders of ability could not be admitted to, except at period of training, *Baillie* - - - 42,330
Overworked and increase of cadre needed, *Sundar Lal*, 43,498–500, 43,783; *Piggott*, 47,643.
PENSIONS:
Increase should be received in higher posts, *Baillie* 42,114
Special, suggestion, *Clay* - - - - 47,112
System of equal annuities, not advocated for High Executive Officers, *Yusuf Ali* - - - 42,672
(*see also* Pensions, I.C.S.)
Probation (*see* Probation, I.C.S.).
Promotion (*see* Promotion, I.C.S.).
RECRUITMENT:
Simultaneous examination in England and India, separate from Judicial Branch, advocated, and reasons and scheme, *Khushalpal Singh*, 43,005, 43,057–8, 43,066–8, 43,085–8, 43,121–4; *Malaviya*, 43,158, 43,165, 43,212–4, 43,254–6, 43,289.
(*see also* Recruitment, I.C.S.)
Reporting of cases by junior Civilian electing for, might be dispensed with, *Yusuf Ali* 42,648, 42,735
Reservation of certain posts for members of, advocated and particulars, *Moti Lal Nehru* - 46,458
TOURING:
Camp touring, particulars *re*, *Moti Lal Nehru* 46,555–7, 46,577–83, 46,624–5
Camp work might be set off in Judicial Branch by grant of extra fortnight's holiday and no complaints anticipated, *Burkitt* - - 46,021 2
TRAINING IN LAW:
Necessary, and inclusion of more subjects advocated, *Baillie*, 42,235–6; *Khushalpal Singh*, 43,035.
not Necessary, as plenty of selection for Judicial Branch possible outside, *Sundar Lal* - 43,401

Executive Branch, P.C.S.:
Appointments on deputation in Native States more often obtained by members of, than by those in Judicial Branch, *Clay* - - - - 47,076
CADRE:
Increase advocated, *Chaudhri Maharaj Singh* 48,143, 48,170–3
Increase, question of, and 18 extra men in probationary grade may have been appointed, *Sheo Prasad* - - - - - - - 46,205
Method of fixing strength of, *Burn*, 44,659; *Sheo Prasad*, 46,214; *Chaudhri Maharaj Singh*, 48,143.

Executive Branch, P.C.S.—*continued.*
CADRE—*continued.*
Number of posts, comparison of latest Civil List with Appendix B., and particulars *re*, *Sheo Prasad* - - - - - - - - 46,205
Number of posts, statements for 1890, 1900, and 1912, *Burn* - - - - - - p. 217–8
Number of posts, table showing, before 1893, in 1893 and in 1912, *Sheo Prasad* - - 46,225
Comparison of functions with Judicial Branch, *Sheo Prasad*, 46,348–51; *Saiyid Nabi-ullah*, 47,027, 47,029.
Division into two groups, scheme, if Judicial and Executive functions not separated, *Riza Ali* 45,264, 45,301–2, 45,371–2
Entrance to, more difficult than into Judicial Branch, and higher pay would not necessarily divert candidates, *Sri Ram* - - - - - 45,835–7
Functions of officers in, in connection with legal matters, *Sundar Lal* - - - - - 43,665
only Half a dozen successful candidates admitted to, each year, *Malaviya* - - - - 43,388–9
Inclusion of subordinate revenue service of tahsildars and naib-tahsildars in, not advocated, *Burn* 44,659
Judicial functions, combination, and separation (*see under* Judicial Branch, P.C.S.).
Law degrees, possessed by some officers in, *Chaudhri Maharaj Singh* - - 48,145, 48,217–9, 48,234
LEAVE:
Decrease in amount taken, reasons for, *Burn* 44,661
Furlough, small amount taken in recent years, percentage and reason for, *Burn* - - 44,661
Long, at shorter intervals a necessity, *Sheo Prasad* 46,232, 46,277–80, 46,285–6, 46,402–3
Medical, steady rise in amount taken, *Burn* 44,661 (*see also* Leave, P.C.S.)
Men have broken down in Judicial Branch and in, and both as bad, *Sheo Prasad* - - 46,329–30
Number of graduates in, *Sundar Lal* - - 43,436
Officers, classes of, and appointments, *Burn* - p. 214
Organisation, satisfactory on the whole, *Sheo Prasad* 46,243
Oudh, more hard worked than Judicial Branch at present, *Piggott* - - - - - - - 47,802
Overwork in, and increase of responsibility during recent years, results of, and particulars *re*, *Sheo Prasad*, 46,214, 46,222, 46,232, 46,277, 46,285–6, 46,402–3; *Chaudhri Maharaj Singh*, 48,140, 48,143, 48,170–3.
PAY:
Comparison with Judicial Branch, *Baillie*, 42,395–6; *Sheo Prasad*, 46,226, 46,275.
Increase suggested, *Baillie*, 42,395–6; *Burn*, 45,078; *Sri Ram*, 45,608, 45,612; *Sheo Prasad*, 46,226, 46,275.
Last general re-organisation in 1903 and more posts added in 1907, *Sheo Prasad* - - 46,225
Statements for 1890, 1900, and 1912, *Burn* p. 217–8
Table showing, before 1893, in 1893 and in 1912, *Sheo Prasad* - - - - - - - 46,223
Time-scale:
Advocated, *Sri Ram* - - - - 45,617
only Remedy for block in Promotion, and scheme, *Sheo Prasad* - - - - - 46,228
(*see also* Pay, P.C.S.)
PENSIONS:
Reduced for inefficiency, advocated, *Sheo Prasad* 46,219, 46,239
(*see also* Pensions, P.C.S.)
PROBATION:
Number of probationers and arrangements *re* proportion of, according to annual recruitment, *Burn* - - - - - - 44,659, p. 210
Rules, principle satisfactory but do not work well, and alterations suggested, *Sheo Prasad* - 46,211
System, particulars *re*, *Sitla Prasad Bajpai* 44,322 (*see also* Probation, P.C.S.)
PROMOTION:
to Higher grades:
Confidential reports on officers in connection with, *Sheo Prasad* - - 46,218, 46,367–72

Executive Branch, P.C.S.—*continued.*
PROMOTION—*continued.*
to Higher grades—*continued.*
Rule for, selection seldom made, *Sheo Prasad* 46,218, 46,281
Testimony of several officers should be necessary for, *Sheo Prasad* - - - 46,218, 46,372
to Listed Posts, scheme, *Sitla Prasad Bajpai* 44,411–8, 44,426–8
Revision of system required in interests of officers and Administration, *Sheo Prasad* - - 46,219
by Seniority in lower grades and selection in higher, approval of, *Burn* - 44,657, p. 210
Slow, and remedy suggested, *Sri Ram* - 45,617
Stopped for misconduct, &c., rule for, should be applied from very beginning and not only from 4th grade, and particulars, *Sheo Prasad* 46,218, 46,282
(*see also* Promotion, P.C.S.)
Prospects not so good as in Judicial Branch, particulars, and improvements advocated, *Sheo Prasad*, 46,226, 46,274–6; *Chaudhri Maharaj Singh*, 48,145, 48,179–80, 48,216–20, 48,265.
Prospects might be improved, but not under present system of nomination, *Moti Lal Nehru* 46,626, 46,628
Prospects would be much improved if supplementary scheme of selection adopted, *Burn* - - 45,076
should Rank with grades below Collectors in I.C.S. so far as distribution of work concerned, and suggestion, *Muhammad Ali* - - - 47,875
RECRUITMENT:
Class representation:
Advocated, and especially classes which are politically important, and scheme for, *Khushalpal Singh*, 43,043; *Sheo Prasad*, 46,210.
Table showing distribution, *Sheo Prasad* 46,210
Combined nomination and examination, advocated, and schemes, *Sundar Lal*, 43,436, 43,497, 43,522–3, 43,534–7, 43,663, 43,812; *Sheo Prasad*, 46,208, 46,211, 46,265–72, 46,331, 46,363–6.
Comparison with Judicial Branch, *Sheo Prasad* 46,208, 46,319–28, 46,332
Competitive examination:
Advocated, and scheme and reasons, *U.P. Congress Committee*, 43,191; *Saiyid Nabi-ullah*, 47,032–3, 47,039, 47,042–3.
Introduced by Sir Antony Macdonnell, particulars *re*, and satisfactory results obtained by, *Sheo Prasad* - - 46,206, 46,208, 46,331
Compulsory law degree advocated or vakil's certificate, and reasons, *Malaviya*, 43,387, 43,390; *Sundar Lal*, 43,436, 43,634–6, 43,664–5; *Sitla Prasad Bajpai*, 44,316.
Decrement rate, particulars *re*, and arrangements, *Burn* - - - - - - - - 44,659
Different systems adopted for, description of, *Sheo Prasad* - - - - - - - - 46,206
Nomination:
Advocated from well-educated men of good family, and reasons, *Khushalpal Singh* 43,043
Employed now, and most of present officers recruited by, and particulars *re*, *Sheo Prasad* 46,206, 46,208, 46,363–6
Made from among good families chiefly, and dissatisfaction owing to, *Sundar Lal* 43,436, 43,496
from Police, Education, and other departments, not successful always, *Sheo Prasad* 46,208, 46,264
not always Satisfactory, and particulars, *Sheo Prasad* 46,208, 46,263–4, 46,332, 46,363–6
Promotion from Subordinate Service:
Confining of, to Executive Subordinate Service, bad results of, *Sheo Prasad* - 46,208, 46,363
One-third advocated, graduates if possible, *Sheo Prasad* - - 46,208, 46,210, 46,358–9
Training, scheme for, *Sheo Prasad* - - 46,211
Recruitment, rate of, *Sheo Prasad* - - 46,217
non-Residents of Province seldom appointed to, *Sheo Prasad* - - - - 46,209, 46,273
Rules:
Alterations suggested, *Marris*, 43,927; *Sheo Prasad*, 46,204.

Executive Branch, P.C.S.—*continued.*
RECRUITMENT—*continued.*
Rules—continued.
not so Satisfactory as those in Judicial Branch, and details, *Sundar Lal* - - - 43,436
(see also Recruitment, P.C.S.)
Request for admission to posts of Assistant Judges, and reasons, *Marris* - - - - - 43,963

RETIREMENT:
Compulsory, for inefficiency, advocated from beginning of service, *Sheo Prasad* - 46,218, 46,239
Extensions after 35 years' or after 30 years' service at age of 55 should not be allowed, *Sheo Prasad* 46,241, 46,289–95
(*see also* Retirement, P.C.S.)

TRAINING:
no Reserve for, *Sheo Prasad* - - - 46,216
Rules satisfactory, but do not work well, and alterations suggested, *Sheo Prasad* - 46,211
on Same lines as in I.C.S. advocated, *Campbell* 47,359
Scheme, *Sheo Prasad* - - - - 46,211
System, particulars *re*, *Sitla Prasad Bajpai* 44,322
(*see also* Training, P.C.S.)
Transfers, reduction advocated and suggestion for increase of staff, *Burn* - - - - 44,661

F.

Family Pension Fund (*see* Indian Services Family Pension Fund).

Family Pension Fund, Uncovenanted Service, number of officers subscribing to, *Burn* - - - 44,662

Finance Department:
Recruitment, principle of nomination, previous to competitive examination, recognised, *Muhammad Ali* - - - - - - - - - 47,819
Secretaries (*see that title*).
University men often prefer, to P.C.S., and details *re* successful candidates for, *Sundar Lal* 43,502–4

Forest Department, pay better in proportion to age of officer, than in I.C.S., *Clay* - - - 47,162

Furlough (*see under* Leave).

G.

General Provident Fund (*see* Provident Fund).

Government Advocates:
Assistant, deputing of junior Civilians as, might be useful, *Yusuf Ali* - - - - - 42,980
Junior Civilians could not be appointed as Assistant, *Baillie* - - - - - - - - 42,437
Post should be held by Indian, *Riza Ali* - 45,264

Government Gardens, travelling allowance drawn by superintendent of, *Sheo Prasad* - - - 46,244

Government of India Act, 1833:
Class representation finds no place in, *Moti Lal Nehru*, 46,447; *Muhammad Ali*, 47,832.
Competitive examination rendered nugatory the declaration of, *Malaviya* - - - - 43,157
Discontent among Indians owing to no adequate attempt being made to redeem pledges contained in, *U.P. Congress Committee*, 43,188; *Muhammad Ali*, 47,832, 47,995–6.
Equality in eye of law in matter of public services secured to Indians by, *Malaviya*, 43,161; *Muhammad Ali*, 47,832.
Liberal policy of, particulars, *Sundar Lal* - 43,396
Present system of examination in England recognises spirit and letter of section 87 in, *Sundar Lal* 43,397
Simultaneous examination, logical sequence of, *Sundar Lal* - - - - - - - - - 43,396

Government of India Act, 1858:
Act of 1833 confirmed by, *Malaviya* - - 43,161
Class representation finds no place in, *Moti Lal Nehru* - - - - - - - - 46,447
Discontent among Indians owing to no adequate attempt being made to redeem pledges contained in, *U.P. Congress Committee* - - - 43,188
Good results of, *Malaviya* - - - - 43,157
Opinions *re*, *Malaviya* - - - - - 43,161
no Superiority of European over Indian recognised by, *Muhammad Ali* - - - - - 47,832

Government of India Act, 1870:
Benefits intended for Indians by, not realised for nearly half a century, *Muhammad Ali* - 47,832
Failure of, referred to, *Malaviya*, 43,157–8; *U.P. Congress Committee*, 43,189.
Object of, and comment on rules, *Malaviya* - 43,157
Particulars *re* enactment of, *Muhammad Ali* - 47,832
Promises made to Indians by, not fulfilled, and discontent *re*, *Muhammad Ali* - 47,832, 47,995–6

Government Pleader:
Method of appointment, *Yusuf Ali* - - 42,858
One in each judgeship, *Sundar Lal* - - *43,682*
Post declined by most successful legal men, and reasons, *Yusuf Ali* - - - - - *42,859–60*

Governor-General, appointment of Indian to post of, desired, and anticipated in future, *Malaviya* - 43,173

Governor-General's Council (*see under* Council).

Greeven Committee:
Flaw in orders passed on Report of with regard to filling of posts of Assistant Sessions Judge, particulars, *Piggott* - - - 47,549, 47,738
Work of, *Sitla Prasad Bajpai*, 44,325, 44,327, 44,336, 44,350, 44,405, 44,459–62; *Piggott*, 47,547, 47,549, 47,564, 47,572, 47,579, 47,583, 47,643.

H.

High Court:
Bar, comparison with mufassal Bar, *Sundar Lal* *43,761–4*
Consulted in selecting men for Judgeships, *Burn* *44,838*
Pay, present system approved, *Sundar Lal* - *43,432*
Privilege leave extended to, *Sundar Lal* - *43,780*
REGISTRAR:
Listing of post as, advocated, *Sitla Prasad Bajpai*, 44,301, 44,332; *Sri Ram*, 45,651; *Sheo Prasad*, 46,221; *Chaudhri Maharaj Singh*, 48,144.
Pay, *Burn* - - - - - p. 201, 202
Pay, personal, advocated, *Clay* - - 47,105

Hill districts, officers serving in should get equal pay with officers in plains, *Campbell* - 47,357, 47,401–7

Hindus:
Difficulties *re* entering I.C.S. under present system of I.C.S. examination in England, *Sundar Lal*, 43,396; *Muhammad Ali*, 47,816, 48,051–4.
Glorious traditions of, *Malaviya* - - - 43,161
Percentage in proportion to Muhammadans, *Burn*, 44,657; *Chaudhri Maharaj Singh*, 48,141.
Proportion of appointments suggested for Muhammadans and, question of, *Abdul Majid*, 44,534, 44,568–71, 44,624; *Burn*, 44,657.
Relations between Muhammadans and, *Riza Ali*, 45,264; *Moti Lal Nehru*, 46,487; *Muhammad Ali*, 47,819, 47,876.
Reluctance *re* availing themselves of furlough, and therefore many more casualties among, than among other classes, *Piggott* - - 47,787–92
REPRESENTATION:
of Each caste in Judicial Service impracticable, *Sitla Prasad Bajpai* - - - - 44,321
in Executive Branch, P.C.S., comparison with Muhammadans, *Chaudhri Maharaj Singh* 48,141, 48,213–5
in I.C.S., suggestions for, *Saiyid Nabi-ullah* 46,814, 46,851, 46,854, 46,858–9, 46,861, 46,866, 46,869, 46,979, 46,981
in P.C.S., particulars, *Sheo Prasad* - - 46,210
Special leave asked for by, in marriage season, *Burn* 44,655

Hindustani:
Adequate proficiency should be attained in by all I.C.S. officers, *Clay* - - - - - 47,091
many Senior members of I.C.S. speak fluently in, *Natthi Mal* - - - - - - 46,732–6
(*see also* Vernaculars.)

Holland, Rev. W. E. S., evidence of - 45,090–259

Home Service:
Combination of examination for, with I.C.S. examination (*see under* Indian Civil Service Examination).
Opening up to Indians advocated and reasons, *Holland* 45,091, 45,115

Honorary Magistrates (*see under* Magistrates).

Housing accommodation, difficulty in obtaining, *Clay* - - - - - - - p. 462 (para. 2)

Husain, Shaikh Shahid, B.A., LL.B., evidence of 45,411–562

I.

Indian Civil Service:
ABOLITION OF DISTINCTION BETWEEN P.C.S. AND:
Approved when practicable, *Yusuf Ali*, 42,986; *Khushalpal Singh*, 43,139.
not Advocated with different method of recruitment, *Riza Ali* - - - - - 45,402
Question of, *Sundar Lal* - - - 43,507–9
Appointments, increase not large in proportion to strength of service, *Baillie* - - - - 42,430
Calculation of probable position of officers, now in their 5th year, to their 9th year of service after intervals of three, six, or nine years, *Clay* - p. 466
CADRE:
Increase of, and correction of tables owing to, *Burn* 44,649
Methods of estimating satisfactory, *Burn* - 44,649
Sanctioned and actual, comparison between and particulars, *Burn* - - - - - - 44,649
Strength of, *Burn*, 44,649; *Sri Ram*, 45,583.
Strength satisfactory, *Khushalpal Singh*, 43,039; *Natthi Mal*, 46,674.
Cases of business calling being preferred to, unknown, *Ledgard* - - - - - - - - 42,570
Classes of offices and appointments, anomalies, and appointments of senior officers to certain posts would have mitigated difficulties of, *Burn* - 44,729
Closer connection with P.C.S. desired, and particulars *re*, *Muhammad Ali* - - - 47,876, 48,010–2
Decrease in value of appointments, *Burn* - 44,650
no Decrease in standards of, at present, *Burkitt* 46,122
Deterioration of position of members of, in comparison with other Indian Services, particulars *re*, *Burn*, 44,650; *Clay*, 47,107, 47,158–63, 47,306–7.
no Deterioration among members of, but change of conditions discernible, and reasons for, *Marris* 43,833, 43,994–5
Differential treatment of Indians in, not advocated, *Ledgard* - - - - - - - - 42,479 (6)
Disadvantages to present members if system of selection by merit to listed posts introduced, *Baillie* 42,148–9, 42,151, 42,429, 42,432
no Dissatisfaction among rank and file of members owing to fact of limited recruitment necessary for highest posts, *Piggott* - - - - 47,747
Dissatisfaction, causes of, *Yusuf Ali* - - 42,677
Efficient officers needed, especially at present, and any lowering of standard would be politically deplorable, *Clay* - - - - - - p. 465
Europeans and Indians equally suitable for, *Malaviya* 43,224
Europeans (*see* European officials).
Executive Branch (*see that title*).
High standard of purity and efficiency maintained in, *Malaviya* - - - - - 43,161, 43,224

Indian Civil Service—*continued.*
Improvement of junior officers' position in other Indian Services in comparison with, and reason, *Clay* - - - - 47,107, 47,158–60, 47,306–7
INDIAN MEMBERS:
Appointment to provinces other than their own:
no Difficulty experienced, *Malaviya* - 43,268–9
not Objected to, *Baillie*, 42,260–2; *Burn*, 44,677–8.
Cases transferred from courts of, to European officers, reasons, *Natthi Mal* - 46,665, 46,698, 46,710–3, 46,720, 46,723–31, 46,744
as Competent as Europeans, *Riza Ali* - 45,264
Discontent *re* treatment among, particulars, *Muhammad Ali* - - - - - 47,862
Efficiency acknowledged in Commission of 1886, *Malaviya* - - - - - - - 43,161
Number in United Provinces, particulars and increase soon to be made, *Clay* - - 47,072
Enquiry by Government of India, every five years, into conditions and prospects of, advocated, *Muhammad Ali* - - - - - 47,862
Prejudices against, in I.C.S., examples, *U.P. Congress Committee* - - - - - 43,189
Recruited by open competition, list of, *Burn* 44,642
not Regarded favourably by compatriots outside the service, and official status admitted reluctantly, and reasons, *Marris* 43,849, 43,979–82, 44,028, 44,155–8
should be on Same footing as Europeans, but are not at present, and dissatisfaction among, *Yusuf Ali* - - - - - - - - 42,677
not up to Standard of European members, *Campbell* - - - - - - 47,356
Treatment not approved, and better opportunities should be given to, and particulars, *Muhammad Ali* - - - - - - - 47,862
Try to keep free from class prejudice and antagonism, &c., but public opinion not inclined to believe this, and particulars *re*, *Piggott* 47,711–7
Inferior services, treatment of, *Muhammad Ali* 47,832, 47,917–23
Judicial Branch (*see that title*).
Junior Civilians, no general feeling among, that age limit too old, and objection to routine work on part of, unreasonable if it exists, *Clay* - 47,215–9
Members in closer contact with people than members of Bar, and attitude of mind better for Judges, *Yusuf Ali* - - - - - - 42,867–9
Members should be impressed with value set by Orientals on sympathetic attitude and considerate courtesy, and suggestions, *Holland* 45,106, 45,157–9
Members do not mix freely enough with people, *Sri Ram* - - - 45,591–2, 45,709–10
Members not so well off as twenty years ago, *Baillie* 42,104
Organisation, satisfactory, *Marris* - - - 43,925
Original idea underlying constitution of, particulars, and inroads not approved, *Yusuf Ali* - - 42,622
Passages, Government should pay first passage out to India and last passage home, of all members of, *Campbell* - - - - - - - 47,358
POPULARITY, DECREASE IN:
Particulars *re*, *Marris* - - - - 43,833
Question of, *Clay* - - - 47,057, p. 465
Reasons for, and remedies suggested, *Ledgard*, 42,479, 42,496; *Holland*, 45,107; *Clay*, 47,106–7, 47,158–62, 47,242–4, 47,281–5, 47,294–300, 47,308; *Campbell*, 47,356, 47,444–5.
Service not chosen by top men in combined examination, and comments of newspapers on, and disadvantages of, *Baillie* - - 42,286–90
Pressure of work, question of, and particulars, *Saiyid Nabi-ullah* - - - - 46,924–6
Proportion of members in, with University degrees, statistics, *Malaviya* - - 43,275–7, 43,338–43
Question of getting out of touch with educated Indian classes, and something should be done to remedy, *Clay* - - - 47,277–9, 47,288–9
Suitable class of men attracted to, *Baillie*, 42,334; *Burkitt*, 45,867.
Tendency for posts outside regular line to be closed to officers of, and given to officers of special line concerned, *Clay* - - - - - - p. 464

Indian Civil Service—*continued.*
Work more onerous and exacting now than formerly, and less outdoor life, *Ledgard*, 42,479; *Clay*, 47,107; *Campbell*, 47,356, 47,445.
(*see also* Conditions of Service, Listed Posts, Pensions, Recruitment, *and* Retirement.)

Indian Civil Service Act of 1861, suitable provision for admission of Indians outside I.C.S. given by, *Marris* - - - - - - - - - 43,839

Indian Civil Service Examination:
Advance of education of Indians under, *Burn* 44,970
Advantages and disadvantages of, and particulars *re*, *Piggott* - - - - - - 47,494, 47,679
AGE LIMIT:
17–19:
Advocated, and reasons, *Ledgard*, 42,479; *Yusuf Ali*, 42,697–8; *Burn*, 44,639, 44,640, 44,645, 44,704–5, 44,708, 44,926, 45,002–5; *Burkitt*, 45,868, 45,870, 45,872; *Campbell*, 47,356, 47,367; *Lindsay*, 48,271, 48,281, 48,364, 48,415, 48,418–21.
not Objected to, if University course taken afterwards, *Clay* - - - - 47,125–8
19–21:
Advocated, and reasons, *Baillie*, 42,055, 42,156, 42,158–62; *Marris*, 43,831, 43,835, 43,996–7, 44,037–42.
Advocated if simultaneous examinations held, *Moti Lal Nehru* 46,446, 46,453, 46,507–9, 46,514
19–22, advocated and reasons, *Yusuf Ali*, 42,616, 42,653, 42,691–3; *Piggott*, 47,508 47,661–5.
21–23, advocated, and reasons, *Riza Ali*, 45,264; *Clay*, 47,064, 47,078, 47,083, 47,117–24, 47,206–7.
21–24 advocated, *Shahid Husain* - - - 45,418
22 advocated, *Natthi Mal* - - - - 46,650
22–23 advocated, *Holland* - - 45,099, 45,245
22–24 (Present limits):
should be Retained for Indians in case of reduction of European age-limit, *Sundar Lal*, 43,699–709; *Saiyid Nabi-ullah*, 46,757, 46,827–32; *Muhammad Ali*, 47,895.
Satisfactory, *Khushalpal Singh*, 43,012; *Sundar Lal*, 43,403: *Sheo Prasad*, 46,197, 46,253; *Moti Lal Nehru*, 46,453; *Saiyid Nabi-ullah*, 46,755, 46,757, 46,832; *Muhammad Ali*, 47,827, 47,894–5.
most Suitable for Indians and natural-born subjects, *Moti Lal Nehru* - - - 46,455
University career impracticable under, *Piggott* 47,508
Unsuitable for Indians, *Muhammad Ali* 47,827, 47,829
22–25 advocated, and reason, *Malaviya*, 43,167, 43,169, 43,302–9, 43,313, 43,315; *Sitla Prasad Bajpai*, 44,297, 44,444–6.
23–25 advocated, and reasons, *Sri Ram* 45,565, 45,573, 45,575, 45,639
25:
Advocated for Natives of India, *Abdul Majid* 44,506, 44,508
as Maximum for Natives of India, advocated, *Sri Ram* - - - - 45,575, 45,639
Differentiation for Indians:
Advocated, one year higher for Indians, *Riza Ali* 45,264
not Advocated, *Baillie*, 42,059; *Yusuf Ali*, 42,618; *Khushalpal Singh*, 43,014, 43,016; *Malaviya*, 43,169; *Sundar Lal*, 43,405, 43,708; *Marris*, 43,835; *Holland*, 45,100; *Shahid Husain*, 45,420; *Sheo Prasad*, 46,197; *Moti Lal Nehru*, 46,455; *Natthi Mal*, 46,652.
not Advocated, but not objected to, if necessary, *Saiyid Nabi-ullah* - 46,757, 46,827–32
not Advocated unless present European age reduced, *Sri Ram*, 45,575, 45,647–50; *Piggott*, 47,512, 47,660.
Indians should be allowed to compete in London at an age two or three years higher than Europeans, *Piggott* - - - - 47,512
not Objected to, and Europeans might enter at younger age and add another year's probation, *Muhammad Ali* - - - - - 47,829

Indian Civil Service Examination—*continued.*
AGE LIMIT—*continued.*
Disadvantages of late, *Baillie*, 42,056, 42,157, *Marris*, 43,832–3, 43,995.
Indians can best decide what is most suitable for Natives of India, *Clay* - - - - 47,067
Later:
Advantages to Indians, *Yusuf Ali* - 42,845–6
Civilians do not settle down so well, if they are older, and particulars, *Campbell* 47,356, 47,368
Men more efficient under, and preferred by Indians, *Sundar Lal* - - - 43,658–9
not Much difference between candidates recruited under different ones, *Marris* - - - 43,832
only members passing Open competition at later age working in United Provinces, *Sundar Lal* 43,656–7
Reduction:
Advantageous for English candidate, *Sheo Prasad* - - - - - - 46,258
Advocated, and reasons, *Yusuf Ali*, 42,604, 42,616–7, 42,777; *Piggott*, 47,498, 47,504, 47,513, 47,607, 47,609, 47,658 *Lindsay*, 48,271–2, 48,279, 48,283.
Advocated if simultaneous examination granted, and reason, *Moti Lal Nehru* - - 46,446
Cases of entrants under, and no marked difference from those coming out under higher age-limit, *Yusuf Ali* - - - 42,787–9
Certain number of Indians would be excluded by, *Ledgard* - - - 42,479 (3) (*b*)
Compensation for Indians suggested, *Burn*, 44,640, 44,706; *Lindsay*, 48,271.
Disadvantages for Indians, *Malaviya*, 43,309–14; *Sundar Lal*, 43,538, 43,579–87, 43,653–5; *Burn*, 44,640, 44,706; *Burkitt*, 45,930; *Sheo Prasad*, 46,255, 46,298–9; *Saiyid Nabi-ullah*, 46,828–32; *Piggott*, 47,659; *Lindsay*, 48,271, 48,284–5, 48,416, 48,427.
Effect of, on Indians, and suggestions, and no decrease in numbers anticipated, *Yusuf Ali* 42,836–7, 42,839–45
Indians need not spend two years at University in case of, *Piggott* - - - - 47,663
Introduction of an examination particularly suited to Indian requirements would not remove disadvantages of, *Sundar Lal* 43,581–7
no Alteration recommended with regard to equal suitability of, for Indians, *Clay*, 47,055; *Piggott*, 47,496.
Best system on the whole and continuance advocated, *Baillie*, 42,043, 42,048, 42,134; *Ledgard*, 42,479, 42,591; *Burn*, 44,639, 44,669, 44,672; *Burkitt*, 45,860; *Holland*, 45,092.
British character of, a safeguard to maintenance of British tone in Administration, *Holland* - 45,103
Caste scruples, difficulties *re*, simultaneous examination would overcome, *Holland* - - - 45,093, 45,226–32
CENTRES:
London should not be the only one, *Malaviya*, 43,158; *U.P. Congress Committee*, 43,189; *Sundar Lal*, 43,396; *Saiyid Nabi-ullah*, 46,746.
no Others besides London advocated, *Yusuf Ali*, 42,610; *Sitla Prasad Bajpai*, 44,290; *Burkitt*, 45,862; *Piggott*, 47,501.

COMBINATION WITH HOME AND COLONIAL CIVIL SERVICE EXAMINATIONS:
Advantageous to Indian interests, and reasons, *Baillie*, 42,047, 42,276–7, 42,282–5; *Yusuf Ali*, 42,607; *Sitla Prasad Bajpai*, 44,287; *Holland*, 45,091; *Riza Ali*, 45,262; *Sheo Prasad*, 46,193; *Moti Lal Nehru*, 46,444, 46,592–7; *Clay*, 47,057, 47,233–5, 47,294–8.
not Advantageous to Indian interests, and reasons, *Khushalpal Singh*, 43,004; *Malaviya*, 43,160; *Sundar Lal*, 43,395; *Marris*, 43,821; *Abdul Majid*, 44,497; *Shahid Husain*, 45,414; *Saiyid Nabi-ullah*, 46,748; *Piggott*, 47,498; *Muhammad Ali*, 47,818.

ndian Civil Service Examination—*continued.*

COMBINATION WITH HOME AND COLONIAL CIVIL SERVICE EXAMINATIONS—*continued.*

Colonies, subjects of, not admitting Indians on equal terms, should be debarred from entering, *Malaviya*, 43,159; *U.P. Congress Committee*, 43,192; *Sitla Prasad Bajpai*, 44,286; *Holland*, 45,091; *Riza Ali*, 45,262; *Sheo Prasad*, 46,194; *Muhammad Ali*, 47,817, 48,005.

not Necessary, *Natthi Mal* - - - 46,641

no Objection to, if present age limits maintained, *Burn* - - - - - - - - 44,639

no Decrease in number of candidates, but quality criticised, *Clay* - - - - - - 47,284–5

Degree at Indian or British University should be compulsory for all candidates for, *Malaviya*, 43,158, 43,216, 43,236, 43,242, 43,245–7, 43,250, 43,270–87, 43,315; *Muhammad Ali*, 47,827, 47,894, 47,896.

Differences of, in former times, particulars *re*, *Clay* 47,265–7

Differentiation between natural-born subjects, not advocated, *Baillie*, 42,046; *Ledgard*, 42,479; *Yusuf Ali*, 42,606; *Burkitt*, 45,859; *Clay*, 47,056; *Piggott*, 47,497.

Disadvantages to administration under present system, *Holland* - - - - - - 45,095

Dissatisfaction of Indians *re*, *Riza Ali* - - 45,263

European candidates should not be allowed to marry before coming out to India, and reasons, *Sheo Prasad* - - - - 46,197, 46,254, 46,256–7

Europeans recruited by, comparison with Indians, *Shahid Husain* - - - - 45,507, 45,522–8

Europeans, restriction to advocated, *Marris*, 43,827, 43,841, 43,973–8; *Campbell*, 47,356, 47,364, 47,383–5, 47,432–7.

Examinations for Executive and Judicial Branches should be separate, and reasons, *Malaviya* 43,158, 43,212–4, 43,254, 43,289

GENERAL EDUCATION OF CANDIDATES:

Sufficient without further specializing, *Clay* 47,179–80

not Sufficient, *Malaviya* - 43,158, 43,235–7, 43,242–7, 43,271–87

Graduates at Allahabad would be almost up to standard of, and details, *Sundar Lal* - 43,466–9

Indians, handicaps to, *Baillie*, 42,136; *Khushalpal Singh*, 43,003; *Malaviya*, 43,158; *U.P. Congress*, 43,159; *Sundar Lal*, 43,396; *Holland*, 45,093, 45,226–35, 45,241–3; *Riza Ali*, 45,261, 45,280; *Shahid Husain*, 45,412–3; *Sri Ram*, 45,563–6, 45,577, 45,580, 45,621, 45,648; *Muhammad Ali*, 47,516, 47,819, 47,879–80.

Improvement in, in recent years, particulars, *Clay* 47,268–70

INCREASE IN INDIAN ELEMENT:

Candidates with University degrees, increase in number of entrants, *Sitla Prasad Bajpai* 44,337

no Limit should be put on those entering by, *Baillie* - - - - - - - - 42,355

Number of Indians successful in, *Burn*, 44,639; *Sri Ram*, 45,680–2.

Indians failing in, particulars *re*, and suggestions, *Muhammad Ali* - - - - 47,816, 48,055–9

Indians passing, not always satisfactory in regard to good birth, respectability and high caste, particulars, *Shahid Husain* - - - 45,506–11

Indians recruited under, not inferior to Europeans, and examples, *U.P. Congress Committee*, 43,189; *Holland*, 45,093.

Indians should be allowed to spend three years in England before appearing at, and after attaining their majority, *Muhammad Ali* - 47,827, 47,984

Intellectual test should not be only consideration, *Malaviya*, 43,157; *Muhammad Ali*, 47,815–6, 47,891–3.

MEDICAL EXAMINATION IN CONNECTION WITH:

Advocated, and should be more stringent, and particulars, *Yusuf Ali*, 42,685–7; *Piggott*, 47,495, 47,604–6, 47,694, 47,707–10.

Indian Civil Service Examination—*continued.*

MEDICAL EXAMINATION IN CONNECTION WITH—*continued.*

Physical fitness should be tested before and after *Ledgard* - - - - - 42,479 (4) (a)

Stiffening of, not advocated, *Marris* - 44,177–8

many Men recruited by, have leanings towards Judicial Branch, and reasonable facilities for study of law should be given, *Burkitt* - 45,867, 46,082–4

Nomination of candidates by school or University previous to, would not appreciably reduce number of candidates, *Clay* - - - - - 47,054

NOMINATION OR SELECTION:

Advocated in connection with, *Ledgard*, 42,479; *Marris*, 43,818, 43,967–72, 44,170, 44,179–80; *Burn*, 44,639; *Saiyid Nabi-ullah*, 46,746, 46,861, 46,966; *Campbell*, 47,356, 47,365–6, 47,383–4; *Muhammad Ali*, 47,819, 48,322–7.

Objections to, details *re*, *Malaviya*, 43,158; *U.P. Congress Committee*, 43,189.

Opinions respecting, and history of, *Malaviya*, 43,157, 43,320–4; *U.P. Congress Committee*, 43,189.

Present system hard on unsuccessful candidate, and particulars, *Lindsay* - - - - - 48,271

Present system not satisfactory, *Burn* - - 44,639

Question of two chances for Oxford Greats men, not considered of much importance, *Clay* - 47,206–7

Retention advocated and means, and good method of recruiting Europeans, *Muhammad Ali* 47,819, 48,005

Satisfactory in principle, *Baillie*, 42,043, 42,045, 42,135; *Ledgard*, 42,479; *Yusuf Ali*, 42,603, 42,605; *Khushalpal Singh*, 43,001, 43,005, 43,057; *Malaviya*, 43,157, 43,223, 43,320–4; *U.P. Congress Committee*, 43,189; *Sundar Lal*, 43,393, 43,400, 43,454; *Marris*, 43,817; *Sitla Prasad Bajpai*, 44,283–4, 44,288; *Abdul Majid*, 44,494, 44,540; *Riza Ali*, 45,260; *Burkitt*, 45,856, 45,915; *Sheo Prasad*, 46,192; *Moti Lal Nehru*, 46,441, 46,445, 46,448; *Natthi Mal*, 46,638, 46,642, 46,696–7; *Piggott*, 47,494, 47,499, 47,604; *Clay*, 47,504; *Lindsay*, 48,271.

not Satisfactory in principle, and reasons, *Riza Ali*, 45,263; *Shahid Husain*, 45,411, 45,415; *Sri Ram*, 45,563; *Saiyid Nabi-ullah*, 46,745, 46,749; *Muhammad Ali*, 47,815–6, 47,819, 47,879–80.

not Satisfactory as only test for recruitment, *Campbell* - - - - - - - - - 47,356

Selection (*see* Nomination or Selection *above*).

Separate Examination (*see that title*).

Simultaneous Examinations (*see that title*).

Sixty per cent. of appointments vacant should be recruited by, at present, *Muhammad Ali* 47,991–2

Strict justice would require that competitive examinations for I.C.S. should be held in India only, *Moti Lal Nehru* - - - - - - 46,446, 46,607

equally Suitable for natives of India, *Yusuf Ali*, 42,605; *Khushalpal Singh*, 43,003; *Malaviya*, 43,159; *Sundar Lal*, 43,393–4; *Holland*, 45,090; *Natthi Mal*, 46,640.

not equally Suitable for Natives of India, *Marris*, 33,819; *Sitla Prasad Bajpai*, 44,285; *Abdul Majid*, 44,496; *Shahid Husain*, 45,413; *Sri Ram*, 45,565; *Burkitt*, 45,858, 45,916; 45,986–7; *Sheo Prasad*, 46,195; *Moti Lal Nehru*, 46,442–3, 46,446; *Saiyid Nabi-ullah*, 46,747; *Muhammad Ali*, 47,816–7, 47,819.

Suitable candidates obtained by, and particulars, *Clay* 47,054

Supplementary system of selection after examination, and training advocated, *Holland* - 45,092, 45,106, 45,118–33, 45,160–2, 45,203–7

SYLLABUS:-

Alterations to suit Indian candidates, advocated, *Baillie*, 42,061, 42,231, 42,355, 42,367–70; *Holland*, 45,193–200, 45,210.

Alteration to suit special training for Indian Civil Service candidates, advocated, *Shahid Husain* 45,414–5, 45,421

Indian Civil Service Examination—*continued.*
SYLLABUS—*continued.*
Alterations suggested with view to separate examinations for Judicial and Executive Branches, *Malaviya* - 43,157, 43,158, 43,255, 43,279, 43,319
Corresponding modification if age-limit reduced, advocated, *Marris*, 43,837; *Lindsay*, 48,414 5.
Differentiation between Indians and Europeans:
not Advocated, *Baillie*, 42,061; *Yusuf Ali*, 42,621; *Malaviya*, 43,171; *U.P. Congress Committee*, 43,196; *Sundar Lal*, 43,407, 43,706-9; *Marris*, 43,838; *Holland*, 45,102, 45,194-200; *Shahid Husain*, 45,422; *Sri Ram*, 45,577; *Moti Lal Nehru*, 46,457; *Natthi Mal*, 46,654; *Saiyid Nabi-ullah*, 46,759; *Clay*, 47,070; *Piggott*, 47,515; *Muhammad Ali*, 47,831.
not Objected to, *Abdul Majid* - - - 44,510
Gazetteers, advocated, with special reference to province to which candidate posted, *Natthi Mal* 46,639, 46,672
Geography, approved, *Yusuf Ali* - - 42,620
History:
Ancient, compulsory advocated, *Marris* - 43,836
English, compulsory, advocated and essential, *Marris*, 43,836; *Saiyid Nabi-ullah*, 46,936.
English and Indian instead of foreign, advocated for Indian students, *Abdul Majid* - 44,509
Greek and Roman, exclusion advocated, *Malaviya* - - - - - - 43,170
Indian:
Advocated, and suggestions *re*, *Baillie*, 42,234, 42,367; *Khushalpal Singh*, 43,015; *U.P. Congress Committee*, 43,195; *Sri Ram*, 45,564–5, 45,576–7; *Piggott*, 47,514, 47,686; *Muhammad Ali*, 47,830.
Compulsory, advocated, *Malaviya*, 43,170; *Moti Lal Nehru*, 46,456, 46,469.
Islamic, advocated, and marks suggested for, *Muhammad Ali* - - - - - 47,830
Languages and literature:
Arabic:
difficult Papers set in, and standard very high in former times, *Yusuf Ali* - 42,797–800
(*see also* Sanskrit *and* Arabic *below*.)
Eastern classics should have same marks as European classics, reasons and particulars, *Saiyid Nabi-ullah* 46,747, 46,758, 46,931–2, 46,936, 46,941
English literature, essential, *Saiyid Nabi-ullah* 46,936
Foreign languages, marks for, should be transferred to English, Sanskrit, Arabic, and Persian languages, *Abdul Majid* - - 44,509
Greek and Latin:
Exclusion advocated, *Malaviya* 43,158, 43,170
Study of, by Indians might improve intellectual homogeneity of I.C.S., *Clay* 47,275–6
Indian, inclusion, with same marks as English language and literature advocated, *Riza Ali* 45,266, 45,329
Italian and Japanese, approved, *Yusuf Ali* 42,620
Languages, mode of study of, suggestions, *Yusuf Ali* - - - - - 42,887 9
Latin (*see* Greek and Latin *above*).
Living languages advocated, *Yusuf Ali* 42,620, 42,756
Marathi, Tamil, Hindi, &c. should be placed on equality with European modern languages, and particulars *re* suggestions, *Saiyid Nabi-ullah* 46,747, 46,758, 46,873–4, 46,936, 46,941, 46,983–7
Natives of India might be allowed to offer composition in their own vernacular instead of in English, *Burn* - - - - 44,641
Oriental, classical or modern, advocated, *Muhammad Ali* - - - - - - - 47,830

Indian Civil Service Examination—*continued.*
SYLLABUS—*continued.*
Languages and literature—*continued.*
Persian, advocated and suggestions, Baillie, 42,233, 42,367–9; *Yusuf Ali*, 42,762–4, 42,790–6, 42,886–9; *Saiyid Nabi-ullah*, 46,758, 46,873–4; *Shahid Husain*, 45,421; *Sri Ram*, 45,563, 45,565, 45,576–7; *Clay* 47,069, 47,177–8; *Muhammad Ali*, 47,830.
Portugese, advocated, *Yusuf Ali* - - 42,620
Sanskrit and Arabic:
should be Marked equally with Latin and Greek, *Khushalpal Singh*, 43,015; *U.P. Congress Committee*, 43,195; *Holland*, 45,101, 45,193–4; *Shahid Husain*, 45,421; *Sri Ram* 45,563, 45,565, 45,576–7; *Moti Lal Nehru* 46,456; *Saiyid Nabi-ullah*, 46,758; *Clay* 47,069, 47,177–8, 47,271–5; *Muhammad Ali*, 47,830.
Study of, by English members of I.C.S. might improve relations with educated Indian classes, *Clay* - - - - - 47,279
Value of knowledge of, and special encouragement for study should be given, *Malaviya* 43,158, 43,170
(*see also* Arabic.)
Sanskrit or Persian should be compulsory, and reasons, *Baillie* - - - 42,087, 42,326–8
Spanish, advocated, *Yusuf Ali* - - 42,620
Urdu, advocated, *Yusuf Ali*, 42,759–6; *Saiyid Nabi-ullah*, 46,758, 46,873–4, 46,984.
(*see also* Vernaculars.)
Law:
Advocated, and suggestion *re* marking, *Khushalpal Singh* - - - - - 43,015
not Advocated, *Baillie* - - 42,232, 42,237
Compulsory, advocated, *Sundar Lal*, 43,406, 43,426; *Marris*, 43,836.
Candidates for Judicial Branch, I.C.S., should be encouraged to study law, *Moti Lal Nehru* 46,560
Civil, compulsory, advocated, *Natthi Mal* 46,672
Comparative law and legislation might be useful, *Yusuf Ali* - - - - - - 42,620
Criminal, advocated and suggestion *re* marking, *Khushalpal Singh* - - - - 43,015
English, compulsory, advocated and particulars, *Malaviya*, 43,170, 43,255; *Sundar Lal*, 43,406, 43,426.
Hindu and Muhammadan:
Advocated, and suggestions *re*, *Abdul Majid*, 44,509; *Muhammad Ali*, 47,830; *Khushalpal Singh*, 43,015.
Compulsory, advocated, *Malaviya*, 43,170; *Moti Lal Nehru*, 46,456, 46,469; *Natthi Mal*, 46,639, 46,672–3.
Indian, compulsory, advocated, *Malaviya* 43,170
Rent Revenue Law, advocated and suggestion *re* marking, *Khushalpal Singh* - - 43,015
Revenue circulars and law, advocated with special reference to province of candidate, *Natthi Mal* - - - 46,639, 46,672
Roman, not advocated, *Abdul Majid* - 44,509
Philosophy, particulars *re*, and suggestions *re* teaching of, *Holland* - 45,196, 45,199–202
Philosophy and literature of East generally and India particularly, advocated, *Muhammad Ali* 47,830, 47,849
Political economy and political science, compulsory, advocated, *Marris* - - - - - 43,836
Present arrangements satisfactory, *Natthi Mal*, 46,653; *Piggott*, 47,514.
Principles laid down by Lord Macaulay's Committee, 1854, &c.:
Approved, *Baillie*, 42,060; *Yusuf Ali*, 42,619; *Marris*, 43,836; *Burn*, 44,641; *Burkitt*, 45,877; *Clay*, 47,068; *Piggott*, 47,513; *Muhammad Ali*, 47,830.
Approved, with reduced age-limit, *Burkitt*, 45,877; *Clay*, 47,083.
not Approved, *Malaviya* 43,215–6, 43,284–7

Indian Civil Service Examination—*continued.*
SYLLABUS—*continued.*
Science, improvement in, *Yusuf Ali* - 42,620
Settlement reports, advocated with special reference to province posted to, *Natthi Mal* 46,639, 46,672
Statistics and sociology, advocated, *Yusuf Ali* 42,620
certain Subjects should be made compulsory for candidates for I.C.S., *Moti Lal Nehru* 46,444, 46,456
Technical subjects, not advocated, *Marris* - 43,836
Vernaculars:
Advocated, inclusion would be quite fair and details *re*, *Yusuf Ali* - - 42,757-64
not Advocated and should be studied afterwards, *Malaviya* - - - - - - 43,318
Inclusion of some upon level of modern European languages, not objected to, and reasons, *Yusuf Ali* - - - - - - - 42,761-4
(*see also* Languages *above.*)
University career, importance of, *Marris*, 43,831, 44,037-42, 44,171-2; *Holland*, 45,099, 45,245.

India Council (*see under* Councils).

Indian languages (*see* Oriental languages *and* Vernaculars).

Indian National Congress, simultaneous examinations favoured, *U.P. Congress Committee* - - 43,189

Indian Services Family Pension Fund:
ADMISSION OF NATIVES OF INDIA:
Advocated, *Burn* - - - - - 44,656
not Approved, *Marris* - - - 43,922-3
not Practicable, *Baillie* - - - - 42,118
Compulsory entrance of Indians under stated conditions, advocated, *Yusuf Ali* - - 42,675-6, 42,814-22
Full contribution made to, out of furlough allowance, *Clay* - - - - - - - 47,335-9
for Indians, separate, if desired, approved, *Marris*, 43,924; *Burn*, 44,656.
Pensions to sons should continue after 21 years of age, *Baillie* - - - - - - - 42,117
System satisfactory, *Marris*, 43,921, 44,235-8; *Campbell*, 47,360.

Indian students:
Branches of knowledge in which Indians are most proficient, *Sundar Lal* - - 43,576-8, 43,644-5
only Candidates from higher castes come up for examination, *Natthi Mal* - - - - 46,718
IN ENGLAND:
British characteristics can be best acquired by, between ages of 16-22, *Moti Lal Nehru* - 46,446
Characters more likely to be formed before two years' training in England in 19th or 20th years, and English training does not form foundation of success of, in I.C.S., *Malaviya* 43,161
Difficulties and dangers of stay of several years' duration, *Muhammad Ali* - 47,816, 47,827
Early British environment would be strong qualification for entrance into I.C.S., *Ledgard* - 42,479
Early education in England often has effect of causing them to lose touch with their own people, *Sundar Lal* - - - 43,654-5
Preparation for Indian Civil Service Examination not so expensive for, as for Englishmen, *Holland* 45,238-40
at Public Schools, large number, and arrangements for supervision of, *Yusuf Ali* - - 42,784-6
Scheme *re* sending boys to pass through an English public school, opinion *re*, *Marris* - 43,988-90
Training in England recommended, *Ledgard* 42,479 (6)

Indians:
matters of Administration not of much interest among the masses, *Abdul Majid* - - 44,597
Adoption of European mode of life by more wealthy, *Clay* - - - - - - - - - p. 462
Advance in standards of morality, during recent years, *Campbell* - - - - - - 47,356

Indians—*continued.*
APPOINTMENTS TO HIGHER POSTS:
Admission to certain high posts referred to, *Malaviya* - - - - - - - 43,173
Extensive employment, by natural and not artificial means, advocated, Yusuf Ali - - - *42,677*
Fair share of high administrative offices not given, and dissatisfaction re, Malaviya - - *43,161*
Increase in number:
Advocated, and reasons, Baillie, 42,350; U.P. Congress Committee, 43,189; Sundar Lal, 43,396, 43,455-6, 43,486-9, 43,540, 43,543; Burkitt, 45,861, 45,863-4, 48,916-21, 45,929, 45,934-8, 46,000; Piggott, 47,500, 47,516, 47,518, 47,610, 47,682; Muhammad Ali, 47,832.
not Advocated at present, *Ledgard* - - 42,493
Certain in years to come, *Clay* - - 47,107
Desire for, reasons for, *Saiyid Nabi-ullah* 46,988-91, 46,996
Desired by educated classes but not by masses, and not advisable on the whole, and reasons, *Marris* - - - 43,849, 44,147, 44,198
should not Interfere with vested rights of present members, *Piggott* - - - 47,516
Probable effect on capital and commerce, *Ledgard* - - - - - - - 42,540-2
should be Regarded as an advantage, *Malaviya* 43,161, 43,219, 43,291-2
Larger number would bring Government more into touch with people, *Yusuf Ali* - - 42,609
Proportion, statistics *re*, *U.P. Congress Committee* 43,189
Reservation of proportion of posts in I.C.S.:
Advocated if present conditions not improved, *Muhammad Ali* - - - - - 47,862
not Advocated, *Ledgard*, 42,479(*b*); *Clay*, 47,072.
Automatic increase every year beginning at 20 per cent., scheme, *Muhammad Ali* 47,821, 47,948-57
50 per cent. advocated, *Saiyid Nabi-ullah* 46,761, 46,803
Fixed proportion not advocated, *Sheo Prasad*, 46,198, 46,221; *Lindsay*, 48,271, 48,402, 48,405-13.
Large number not desirable, *Chaudhri Maharaj Singh* - - - - - - - 48,144
One-fourth to one-third advocated, and scheme, *Piggott* - 47,502, 47,506, 47,518, 47,611-2, 47,682, 47,805-7
One-sixth posts advocated, *Khushalpal Singh* 43,018
One-sixth of posts advocated, if Separate Examination not granted, and suggestions, *Riza Ali* 45,268, 45,294-5
Scheme, *Marris* - 43,819, 43,827, 43,975-6, 43,983-93, 44,029-36, 44,070-8, 44,159-63
20 per cent. advocated, and particulars *re*, *Natthi Mal* - 46,656, 46,699-700, 46,703-4
Closing of higher posts in British Indian Army to, hardship of, *Muhammad Ali* - - - 47,819
Comparison with Europeans (*see under* European officials).
in Commerce (*see that title*).
DEFINITION OF "NATIVES OF INDIA":
Approved, *Yusuf Ali*, 42,615; *Sundar Lal*, 43,402; *Marris*, 43,830; *Sitla Prasad Bajpai*, 44,296; *Abdul Majid*, 44,505; *Holland*, 45,098; *Shahid Husain*, 45,417; *Natthi Mal*, 46,649; *Clay*, 47,063; *Piggott*, 47,507.
Approved, but term itself unsatisfactory, and "Indians" preferred, *Moti Lal Nehru* - 46,452, 46,520-2
Modification suggested, *U.P. Congress Committee*, 43,194; *Sri Ram*, 45,572, 45,702.
Subjects of Native States should be included, *Khushalpal Singh*, 43,011; *Malaviya*, 43,166; *Muhammad Ali*, 47,826.
Dialects of different provinces easily understood by, and example, *Moti Lal Nehru* - - 46,621-2
EDUCATED CLASSES:
Demand greater share in administration, and concessions made to, but dissatisfaction likely to continue in any case, *Burn* - - 44,992-7
Difference between interests of masses and, *Sundar Lal*, 43,541-2; *Marris*, 44,198-202, 44,217-9; *Piggott*, 47,683, 47,713-7.

Indians—*continued.*
EDUCATED CLASSES *continued.*
Opinions should not be preferred above those of masses and of the Government, *Burn* 44,983–4
should be more in Touch with I.C.S., and important influence on the country exercised by, and reasons, *Yusuf Ali* - - - - - 42,677
Wishes of, should be considered in schemes for government of India, *Campbell* - - 47,386
Expenses in India not so great as Europeans' in spite of social regulations and customs, *Malaviya* 43,364–8
Government service formerly preferred by best men, but tendency decreasing, and disadvantage of, *Muhammad Ali* - - 47,838, 47,862, 47,871
Graduates, average age, *Yusuf Ali* - - 42,841
HEREDITARY OR GOVERNING CLASSES:
Attitude of lower classes and of educated classes towards, *Yusuf Ali* - - - 42,947 50
Education of sons of, particulars *re*, and effects of, *Abdul Majid* - - - - 44,611–4
special Representation in P.C.S. should be given to, political importance of, and particulars *re*, *Khushalpal Singh* - - - -
Reservation of certain number of posts suggested for, and scheme, *Khushalpal Singh* 43,005, 43,043, 43,045, 43,053, 43,063, 43,085, 43,094–100, 43,111–6, 43,135, 43,141–4
Improvement in character and capacity during last 50 years, *Malaviya* - - - - - 43,161
not Lacking in initiative and capacity, *Malaviya*, 43,161; *U.P. Congress Committee*, 43,189.
LANDOWNERS:
not Adequately represented under present system of recruitment, *Marris* - - - 44,034–6
a Backward class, *Khushalpal Singh* - - 43,091
not the only Class with a stake in the country, and finance should be considered also, *Khushalpal Singh* - - - - - 43,098–100
Influence in country, reasons for, and examples, *Khushalpal Singh* - - - - 43,117–20
P.C.S. not sufficiently attractive for, *Khushalpal Singh* - - - - - - - 43,142–4
Reservation of proportion of posts for, in I.C.S., scheme, *Riza Ali* - - - 45,263, 45,369
Long leave seldom taken by, *Sheo Prasad* - 46,384
Pariahs, representation in I.C.S., particulars and suggestions *re*, *Saiyid Nabi-ullah* 46,851, 46,863–4, 46,866, 46,869
not Possible to secure men absolutely free from class prejudice from among, *Abdul Majid* 44,629 32
Prefer to talk to Englishmen in English, as a rule, *Lindsay* - - - - - - - 48,333 4
Prepared to forego a great many rights if properly treated by European officers, and particulars *re*, *Saiyid Nabi-ullah* - 46,779, 46,988–92, 46,996
Preponderance of, in administration would not weaken, *Malaviya* - - - 43,220, 43,291
Professional classes, Allahabad, value of, in management of public affairs, *Holland* 45,097, 45,149 52, 45,174, 45,186
SEPARATE CADRE FOR:
Advocated, and schemes for, and advantages of, *Campbell* 47,356 7, 47,359, 47,370–7, 47,379 81, 47,383 4, 47,387, 47,427 8, 47,491
not Advocated, *Sheo Prasad* - - - 46,440
Probation in England at approved residential university for two or three years with allowance of 150*l.*, advocated, *Campbell* - 47,356, 47,372, 47,374
Training on same lines as in I.C.S. advocated, *Campbell* - - - - - - - 47,359
Social distinctions of more importance than in England, and should be treated differently, *Abdul Majid* - - - - - - - 44,607–10
Training in business, no organised system for, as for Europeans, but special efficiency encouraged, *Ledgard* - - - - 42,551 3, 42,555–60
Wanting in administrative capacity, and particulars, *Natthi Mal* - - 46,665, 46,698, 46,737 40
not Wealthy on the whole, and particulars *re*, *Riza Ali* - - - - - - - - 45,349 52

Inefficient officers, retirement of, on reduced pensions (*see under* Pensions *and* Retirement).

Inferior posts (*see under* Conditions of Service).

Insufficiency of Staff, I.C.S.:
Executive, increase required, *Piggott*, 47,643; *Sundar Lal*, 43,498–500, 43,783.
Judicial officers are overworked, *Sundar Lal* 43,499

Insufficiency of Staff, P.C.S.:
Executive, increase required, *Piggott*, 47,643; *Khushalpal Singh*, 43,082–8; *Sheo Prasad*, 45,850–2, 46,214, 46,222, 46,232, 46,277–80, 46,285–6, 46,403, 46,426; *Chaudhri Maharaj Singh*, 48,140–3, 48,170–3, 48,238–40.
Judicial officers are overworked, *Sitla Prasad Bajpai*, 44,462–6; *Sundar Lal*, 43,499, 43,783; *Sri Ram*, 45,617, 45,662–6, 45,721–2, 45,844–5; *Burkitt*, 45,908, 45,912, 45,967, 46,100–41, 46,178–88; *Saiyid Nabi-ullah*, 46,788, 47,023–6; *Piggott*, 47,783–9, 47,560, 47,733–4; *Lindsay*, 48,274, 48,328–30, 48,458–9.

Insurance Companies, Europeans and Indians trained in England, accepted on same terms by, *Yusuf Ali* 43,820
Insurance (*see* Postal Life Insurance Fund).

J.

Jails, Assistant Superintendents:
Bengal, travelling allowance, *Sheo Prasad* - 46,244
First-class officers by travelling allowance rules, *Sheo Prasad* - - - - - - - 46,244

Joint Magistrates (*see under* Magistrates).

Judges, Assistant Sessions:
Appointment after eight years standing advocated, *Baillie* - - - - - - - - 42,398
First-class officers by travelling allowance rules, *Sheo Prasad* - - - - - - - - 46,244
Four posts as, held by P.C.S. and comparison with number held by I.C.S., *Sri Ram* - - 45,617
Functions and powers, particulars *re*, *Burkitt* 45,996
Increase of number in recent years, and particulars *re* position, *Burkitt* - - - - 46,128–31
Increase of, advocated and reasons, *Piggott* - 47,560
Jurisdiction on Civil side should be same as that of Subordinate Judges, *Moti Lal Nehru* 46,451, 46,477–8, 46,545, 46,561–2
Number and particulars *re* appointments, *Burkitt* 46,006–7
Pay, particulars, *Burkitt* - - 45,966, 46,008–11
Pay, suggestions, *Sitla Prasad Bajpai* - - 44,337
Rates of pay and number of posts, in 1890, 1900, 1904, and 1912, *Sitla Prasad Bajpai*, 44,336; *Burn*, p. 218.
Recruitment from Executive Branch, P.C.S., advocated, as well as from Judicial Branch, and reasons and particulars *re* present system, *Sheo Prasad*, 46,221, 46,226, 46,352, 46,429–30; *Piggott*, 47,560, 47,778–80; *Chaudhri Maharaj Singh*, 48,145, 48,178, 48,236–7.
no Regular scheme for giving Civilians civil training before introduction of posts as, *Lindsay* - 48,341
Reservation for P.C.S., particulars *re*, *Piggott* 47,549, 47,738
Subordinate Judges should have experience of magisterial work before appointment as, *Clay* 47,094

Judges, District and Sessions:
Appeals to, transference of second and third class, not advocated, but question of minor importance, *Piggott* - - - - - - - - 47,642
CIVILIAN:
not Fitted by training or mental attitude for judicial functions, and reasons, *U.P. Congress Committee* - - - - - - - 43,190
Judicial officers subordinate to, not always inferior in intellect to, and details, *Malaviya* 43,158, 43,260
some Satisfactory as, *Malaviya*, 43,353; *Sundar Lal*, 43,560.

Judges, District and Sessions—*continued.*

CIVILIAN—*continued.*

Value of experience in executive branch, *Malaviya*, 43,262; *Burn*, 44,639.

Weakness of recruitment from I.C.S. exaggerated, and improved methods of training would remedy, *Piggott* - - - - - - 47,506, 47,625

Creation of posts in place of assistant judgeships, *Burn* - - - - - - - - 44,649

more Criminal cases should be tried by, *Piggott* 47,560, 47,733 4

Critical report on pleaders' work before appointment should be made by, *Morris* - - - 43,928

Division into two classes advocated for criminal and civil work, *Sheo Prasad* - - 46,221, 46,416

FUNCTIONS IN CONNECTION WITH BADMASHI APPEAL:

District Magistrate better for such cases, and reason, *Morris* - - - - - 44,101-18

More serious appeals heard by, and could easily undertake work of District Magistrate in this connection, *Sundar Lal* - - - - 43,684

Functions not entirely connected with civil work, and particulars *re*, and importance of executive work, *Baillie*, 42,404–9; *Burn*, 45,056; *Piggott*, 47,506, 47,625, 47,775–7.

Greater part of average judicial civilian's official life spent as, and position with regard to Government should be strengthened, *Yusuf Ali* - - 42,677

Important part of appellate work on rent and revenue side, not done by, and no experience of any part at all undergone by, *Baillie* - - - 42,412–3

Indian, prejudice against, among Indians dying away owing to good work done by, *Piggott* - - 47,518

LEAVE:

on Full pay, particulars, *Burkitt* - 46,151-2

Vacation, month allowed, but only a fortnight generally taken by, *Burkitt* - - 46,143-5

LISTED POSTS:

Appointments advocated, *Lindsay* - - 48,457

Appointments not approved, *Campbell* - 47,356, 47,379

Appointments of men from Judicial Branch, P.C.S., sometimes objected to, and reason, *U.P. Congress Committee* - - - - - 43,190

all Belong to Judicial Provincial Service, and grievance among Deputy Collectors *re*, but recruits satisfactory, *Campbell* - 47,422–3

Five posts listed in Agra and Oudh, and particulars *re* appointments, *Sri Ram* - - - 45,583

Increase of and statement, *Burn* 44,660, 44,669

Members of Executive Branch, P.C.S., should not be appointed as a rule, but Government should reserve power *re* in exceptional cases, *Piggott* 47,778–81

Number of, *Sundar Lal* - - - - 43,436

Number, and reduction not advocated in connection with percentage scheme, *Moti Lal Nehru* 46,586–91

One-sixth listed instead of one-third, as recommended, *Muhammad Ali* - - - 47,832

One-third posts as, recommendation for opening up to P.C.S., by Public Service Commission, 1886, *U.P. Congress Committee* - - 43,190

One-third of posts advocated for, *Sri Ram*, 45,768, 45,781; *Sheo Prasad*, 46,221.

One-third recruitment from the Bar or, scheme, particulars *re*, *Piggott* 47,506, 47,524, 47,579, 47,627, 47,745–6, 47,775 7, 47,782

Particulars *re* appointments to, *Sitla Prasad Bajpai* - - - - - - 44,300, 44,332

Ten advocated, *Sitla Prasad Bajpai* - - 44,332

Three more posts listed since statements in Appendices IV. and V. drawn up, *Sitla Prasad Bajpai*, 44,336; *Clay*, 47,074; *Piggott*, 47,549.

Tendency for posts to be listed more freely than those of District Magistrates, *Clay* - 47,076

Twenty per cent. of posts, advocated for, and reasons, *Moti Lal Nehru* 46,458, 46,541, 46,544–5, 46,584, 46,586–91

Two members of P.C.S. holding, particulars, *Sri Ram* - - - - - - - - 45,617

Judges, District and Sessions—*continued.*

Men of five years' standing not likely to be appointed as, *Riza Ali* - - - - - - - 45,399

Munsifs promoted to, without any criminal experience and work wanting, *Yusuf Ali* - 42,919–30

New judgeships established in last ten years, *Baillie* 42,431

Number and percentage of appointments, *Burn* 44,649, p. 202

Number in United Provinces, *Moti Lal Nehru* 46,585

OFFICIATING:

Appointment as, after five or six years, or less occasionally, particulars, *Sri Ram* - 45,595, 45,617, 45,711–2, 45,737–8

only Capable Assistant Judges should be given position as, *Burkitt* - - - - 45,909

Pay:

Charge allowance of Rs. 200 a month advocated, *Clay* - - - - - - - - 47,105

Inadequate, and should be increased, *Clay* 47,261 4, 47,308 9

Minimum of Rs. 1,500 advocated, *Burn* 44,650, 44,897

PAY:

Initial, should be Rs. 1,000 in lowest grade, *Sitla Prasad Bajpai* - - - - - - 44,341

Larger salary than Collectors received by, *Sheo Prasad* - - - - - - - 46,312

Officers promoted from P.C.S. should receive Rs. 1,200, as against Rs. 1,666⅔ for I.C.S. officers, *Piggott* - - - - - - - 47,588

Rates of, *Burn* - - 44,649, p. 201, p. 202

Rates of, and grading, list of number of posts and, for years 1863, 1870, 1880, 1890, 1900, 1912, *Burn* - - - - - - - - p. 203

in Three lowest grades equal to that of Magistrates and Collectors, but promotion not the same, and suggestion *re* amalgamation of two posts, *Burn* 44,650, 44,739

Percentage in higher grades too large, *Muhammad Ali* - - - - - - - - - 47,857

RECRUITMENT:

Appointment of officers of few years' standing to posts of, not approved, *Abdul Majid* - 44,504, 44,555–8

no Appointment should be made except from Assistant Judges of at least two or three years' standing, *Burkitt* - - - 45,909, 45,966

from the Bar, not approved, and reasons, *Burn* 44,659, p. 211, 44,695–7, 44,840–8

(*see also under* Recruitment *under* Judicial Branch, I.C.S.)

Eight or ten years' civil service necessary before appointment as, *Baillie*, 42,241, 42,398; *Yusuf Ali*, 42,964.

Indians and Europeans should hold appointments as, *Natthi Mal* - - - - - 46,741

Indians of good family advocated for, *Abdul Majid* - - - - - - - - 44 560

Method approved, *Natthi Mal* - - - 46,648

Promotion to, by selection necessary, *Piggott* 47,576

Scheme *re* training as Munsif or Subordinate Judge before appointment as, not objected to, *Baillie* - - 42,243, 42,399–403, 42,433–6

Thirty-five per cent. from members of I.C.S. advocated, *Moti Lal Nehru* - 46,458, 46,545

after Three years' work as Subordinate Judge and further promotion should depend on High Court, *Sundar Lal* - - - - - 43,426, 43,744–5

Training in original civil work necessary, and scheme for, *Lindsay* - - 48,273, 48,340

Reports on work of subordinate magistrates made by, *Morris* - - - - - - 44,229–30

Reservation of two-thirds posts as, for members of I.C.S., advocated, *Piggott* - - - - 47,506

SUBORDINATE JUDGES APPOINTED AS:

no Criminal experience and work wanting, *Yusuf Ali* 42,919–30

should have Experience of magisterial work, *Clay* 47,094

Judges, District and Sessions—*continued.*
SUBORDINATE JUDGES APPOINTED AS—*continued.*
only Four posts secured since 1892, examples, *Sitla Prasad Bajpai* - - 44,330, 44,365
Supervision of courts, &c., on same lines as District Magistrate, unknown, *Baillie* - - - 42,443

Judges, High Court:
Barrister Judges only exist among, but not considered as pleader or barrister judges in ordinary sense, *Yusuf Ali* - - - - - 42,972–4
Best men at the Bar often refuse posts as, *Yusuf Ali* 42,861
CIVILIAN:
Advantages over barristers and pleader judges, *Baillie* - - - - - - - 42,164–6
Annuity an exception to general rule, and disappearance would be welcome, *Yusuf Ali* 42,671
Pensions, special (*see that title*).
Poor men, in many cases, *Sundar Lal* - 43,765
some Satisfactory, *Malaviya* - - - 43,353
Equal pay for Europeans and Indians holding posts as, advocated, *Malaviya* - - - 43,360–1
Pay and number of, *Burn* - - - p. 201, 202
PENSIONS, SPECIAL:
no Change advocated, *Baillie* - - - 42,113
Civilian Judges should not receive less in same position, but not likely to serve so long except in rare cases, *Burkitt* - - - - - 45,904
Civilians should receive, after 6 years' service with minimum of 30 years' service in all, and reasons, *Clay* - - - - - 47,111, 47,344–7
Continuance advocated, but arrangement illogical, *Marris* - - - - - - - 43,914
Members should receive after five years' service, *Clay* 47,112
Posts reserved for members of I.C.S. and training ground should always be provided for, *Clay* 47,072
Recruitment from Bar best for, but appointment of two members of I.C.S. and one of P.C.S. not objected to, *Moti Lal Nehru* - 46,458, 46,613–5
Ten years' standing qualification for appointment except in certain cases, *Burn* - - 44,842–3

Judges, pleader, no advantage over ordinary judicial officer, *Baillie* - - - - - - 42,439–41

Judges, Sessions (*see* District and Sessions *above*).

Judges, Sessions and Subordinate:
Experience as Munsif or Subordinate Judge, needed before appointment as, *Clay* - - - 47,094
Four posts as, held by I.C.S. and two by P.C.S., *Burkitt* - - 46,012, 46,012 8, 46,040, 46,042
Inclusion of one post at Rs. 1,000 in P.C.S. advocated, *Sitla Prasad Bajpai* - - - - - 44,337
Invaluable as training ground for junior Civilians, and particulars *re* powers and work of, *Piggott* 47,547, 47,554-9, 47,739; *Lindsay*, 48,340.
Number of appointments, *Burn* - - - p. 202
Promotion by selection to, advocated, *Piggott* 47,576
should be Reserved for I.C.S. as Assistant Sessions Judgeships are reserved for P.C.S., and particulars, *Piggott* - - - - 47,547, 47,549, 47,738

Judges, Small Cause Court:
Belong to different category from Subordinate Judges, Deputy Collectors, &c., *Sri Ram* - 45,684
Correspond approximately to grade of Joint Magistrates, *Clay* - - - - - - - 47,195
Listed posts as, always filled by members of P.C.S., *Sitla Prasad Bajpai* - - - 44,300, 44,332
PAY:
Rs. 1,500 advocated, *Moti Lal Nehru* - - 46,491
Alterations suggested, *Sitla Prasad Bajpai* 44,337
Increase advocated for each grade, particulars, *Sri Ram* - - - - - - - 45,612
Rates of, and number of posts in 1890, 1900, 1904, and 1912, *Burn*, p. 217–8; *Sitla Prasad Bajpai*, 44,336.
Promotion to, by selection advocated, *Sitla Prasad Bajpai*, 44,320; *Piggott*, 47,576.
Six posts as, held by members of P.C.S. and comparison with number held by I.C.S., *Sri Ram* 45,617
Two posts listed in Agra and Oudh, *Sri Ram* 45,583

Judges, Subordinate:
Appointed to District and Sessions Judgeships (*see under* Judges, District and Sessions).
Appointment by promotion from munsifs most satisfactory method, *Sitla Prasad Bajpai* 44,318, 44,320
Appointment, rules, *Burn* - - - - p. 216
Confidence felt in, by people, *Khushalpal Singh* 43,130
Creation of posts in place of Assistant Judgeships, *Burn* - - - - - - - - 44,649
should have some Criminal experience before appointment as Criminal Sessions Judges, *Natthi Mal* 46,743
Criminal Law, no training in received by, and inferior to Deputy Collectors in this respect, *Chaudhri Maharaj Singh* - - - - - - 48,236–7
Deputy Collectors, comparison with, as to amount of work done, *Sheo Prasad* - - - 46,313–30
District Judges' work could be quite well performed by, but training as Assistant Judge might be an advantage, *Saiyid Nabi-ullah* - - - 47,028
Employment of members of Bar in higher grades of, before raising them to posts of District and Sessions Judge not objected to, *Sheo Prasad* 46,201, 46,335–40
Judgments as court of appeal on decision of experienced men holding posts as, passed by junior Civilians, and disadvantages, *Sri Ram* - 45,595, 45,617
Number of posts, *Burn* - - - - 44,649
PAY:
Highest grade, amount, *Riza Ali* - - 45,276
Maximum:
Rs. 1,000 instead of Rs. 800 advocated, *Saiyid Nabi-ullah* - - - - 46,791, 46,794
Rs. 1,200 advocated, *Moti Lal Nehru* 46,491, 46,527
Rates of, and grading, increase suggested, and particulars, *Sitla Prasad Bajpai*, 44,337; *Sri Ram*, 45,612, 45,685; *Piggott*, 47,582.
Rates of, and number of posts, statements for 1890, 1900, and 1912, *Sitla Prasad Bajpai*. 44,336; *Burn*, p. 217–8.
Small, and leave cannot be taken owing to, *Lindsay* 48,274
Powers, should be invested with those of Assistant Sessions Judges, *Burkitt*, 46,136; *Piggott*, 47,560.
Promotion to I.C.S. on attaining position of, advocated, and scheme, *Burkitt* - 46,133–9, 46,153
Small Cause Court Judgeships, Sessions, and Subordinate Judgeships and Assistant Sessions Judgeships graded in with, *Piggott* - - - - 47,576
Suits between landlords and tenants, &c. might be transferred to, *Sheo Prasad* - - - 46,220
no Temporary promotion in connection with leave, and hard work entailed by, *Baillie* - - 42,468
of Two years' standing, should be appointed Assistant Sessions Judges by nomination from High Court of Judicial Commissioner, *Sitla Prasad Bajpai* 44,324, 44,330
VACATION:
should be Given occasionally, in hot months, and difficulty *re*, *Lindsay* - - 48,274, 48,319–24
Particulars *re* and suggestions, *Burkitt* 46,146–9, 46,154–60
Work, criminal and civil, particulars *re*: *Baillie*, 42,248 51; *Burkitt*, 46,137 9.

Judicial Branch, I.C.S.:
Badmashes, appeals in cases relating to, *Marris*, 44,101–18, 44,143 6, 44,232-4; *Moti Lal Nehru*, 46,569–74.
BIFURCATION:
Admission to Judicial Branch should not be made before 25 years of age, *Sundar Lal* - - 43,404
Civilians should all be treated alike up to point of, *Marris* - - - - - - - - 43,870
at Commencement of official career immediately after probation, advocated, *Sri Ram* 45,571, 45,699-701, 45,731–2
after Eight years' service, advocated, *Burkitt* 46,023–7
Examination in law previous to, advocated, *Sundar Lal*, 43,426; *Natthi Mal*, 46,648, 46,672; *Lindsay*, 48,272, 48,307.

Judicial Branch, I.C.S. *continued.*
BIFURCATION—*continued.*
after Five or six years, advocated, *Baillie* - 42,167, 42,241–3, 42,398 400, 42,414–5, 42,451 2
after Four or five years, advocated, *Ledyard*, 42,569; *Clay*, 47,186.
Furlough taken just before, not usually devoted to study of law, *Burkitt* - - - - 46,142
Indication might be made after five years and final decision after eight, *Yusuf Ali* - 42,965
after Seven or ten years advocated, *Muhammad Ali* - - - - - - - - 47,851
after Six years' service advocated, *Lindsay* - 48,273
within first Three years of service advocated, *Moti Lal Nehru* - - - - - 46,451, 46,612
Civilians should not be appointed unless they are barristers, *Muhammad Ali* - - - - 47,825
Civilians should not be entirely excluded from, *Yusuf Ali* - - - - - - - 42,951

COMBINATION OF EXECUTIVE AND JUDICIAL FUNCTIONS:
Abuses rare and reasons, *Marris* - 43,883, 44,043, 44,079–8, 44,269
Criminal cases should not be tried in Civil Courts, and reasons, *Baillie* - - - - 42,230
Evils resulting from, could be removed by vigilance of Local Governments, *Burn* - 44,651, 44,855–7
Extent, *Yusuf Ali*, 42,658; *Marris*, 43,883; *Burn*, 44,651; *Riza Ali*, 45,303; *Piggott*, 47,560.
Frequent applications for transfers of criminal cases to High Court an indication of evils of, *Malaviya* - - - - - - - 43,266
Public opinion not against, as a whole, and particulars, *Baillie* - - - - - 42,252–8
Revenue cases should be kept out of ordinary law courts, reasons and particulars, *Baillie* 42,227 30
Compulsory transfer to, Indian members sometimes threatened with, *Muhammad Ali* - - 47,862
Courts (*see that title*).
Criminal cases, special training necessary to give decisions upon, *Campbell* - - - - 47,486
European and Indian element, proportions suggested, *Sundar Lal*, 43,409; *Riza Ali*, 45,264; *Sri Ram*, 45,617; *Burkitt*, 45,863, 45,867, 45,917, 45,934, 45,988–97.
Executive branch, comparison with, *Riza Ali*, 45,264; *Sheo Prasad*, 46,348 51; *Lindsay*, 48,273.

EXECUTIVE EXPERIENCE:
Executive officers not fitted for posts of judges, *Riza Ali* - - - - 45,264, 45,296, 45,300
Executive officers well fitted for, *Sheo Prasad* 46,352
Inefficient executive officers relegated to, and objections to, *Malaviya*, 43,158, 43,348–52; *Burn*, 44,639; *Sri Ram*, 45,571; *Lindsay*, 48,273.
Value of, *Baillie*, 42,244–9, 42,342; *Marris*, 43,829, 44,203–6; *Burn*, 44,639; *Burkitt*, 46,027–30, 46,110; *Sheo Prasad*, 46,201; *Piggott*, 47,625 6, 47,689, 47,718, 47,723–4; *Lindsay*, 48,273.
no Value, and reasons, *Moti Lal Nehru* 46,554–9, 46,623–5
High Court Bench (*see* Judges, High Court).
Increase of popularity, and reasons, *Baillie* 42,056, 42,362–6
Knowledge of law might be better, *Malaviya*, 43,158, 43,257–62; *Marris*, 43,829.

LEAVE:
Annual Holiday, compulsory, advocated, *Piggott* 47,692–3, 47,793
Casual, full pay given on, *Lindsay* - - 48,353
on Full pay, accumulation of three months, harm done by, *Piggott* - - - - - 47,692
Furlough, full amount not taken, and reasons, *Piggott* - - - 47,590, 47,737, 47,787–92
Holidays:
Number of, in a year, but not usually taken, and reasons, *Burkitt* - 46,100–4, 46,178–85
Work done on, by many officers, *Piggott* 47,751–4
Long, seldom taken, and reason, *Lindsay* - 48,274
Suggestion for improvement in, would make service more popular in comparison with Executive Branch, *Sundar Lal* - - 43,434

Judicial Branch, I.C.S.—*continued.*
Listed Posts (*see that title*).
Litigation in India, increase of, *Riza Ali*, 45,264; *Lindsay*, 48,273.
Overwork in, and more appointments should be made, *Sundar Lal* - - - - - 43,499

PAY:
Definite judicial allowance might be given if special attractions necessary for, *Clay* - 47,105
Initial, too low, and details and suggestions, *Sundar Lal* - - - - 43,444, 43,784–5
Lower grades, should be same as Executive Branch, *Burn* - - - - - 44,739–40
Salaries of higher posts in, compare favourably with those of Revenue officers, *Sheo Prasad* 46,311 2
(*see also* Pay, I.C.S.)

PROBATION:
Two years suggested, and reasons, *Burn* - 44,639
Two years advocated, for candidates selected for Judicial Branch in India, *Khushalpal Singh* 43,029–30, 43,030, 43,066
(*see also* Probation, I.C.S.)

PROMOTION:
Block in, *Burkitt* - - - - - 45,989–91
Inefficient officers should be kept in inferior grade of joint magistrates, *Burn* - - 44,639 (13)
(*see also* Promotion, I.C.S.)

RECRUITMENT:
Abuse of, *Malaviya* - - 43,158, 43,347–53
Age-limit, no maximum standard advocated, *Riza Ali* - - - - - - - - 45,398
from the Bar:
Advocated, and proportions suggested, *Malaviya*, 43,158; *U.P. Congress Committee*, 43,190; *Sitla Prasad Bajpai*, 44,295, 44,298, 44,386–7; *Abdul Majid*, 44,504, 44,527, 44,566–7; *Riza Ali*, 45,264, 45,297–9, 45,386–7, 45,397, 45,400; *Shahid Husain*, 45,416, 45,482–5, 45,517–21, 45,540–53; *Moti Lal Nehru*, 46,458, 46,534–40, 46,542 53, 46,623; *Natthi Mal*, 46,648; *Muhammad Ali*, 47,825, 47,900–1, 47,990.
Advocated to extent of one-third, *Sundar Lal*, 43,401, 43,428, 43,476–80, 43,666–71, 43,750–60; *Sri Ram*, 45,617, 45,667–9, 45,756–66, 45,792, 45,823–5, 45,800 6; *Saiyid Nabi-ullah*, 46,754, 46,820–3.
not Advocated, *Yusuf Ali*, 42,861–9, 42,909–18; *Burn*, 44,659, p. 211, 44,695–7, 44,840–8; *Burkitt*, 45,867, 45,939–42; 46,003–4, 46,118–21; *Sheo Prasad*, 46,201, 46,259–62, 46,336–40; *Moti Lal Nehru*, 46,549–53.
from Government pleaders and prosecutors, not advocated, *Sundar Lal*, 43,481–3; *Piggott*, 47,631 2.
from Practitioners in District Courts, *Sundar Lal* - - - - - - - - 43,670
Preferred to recruitment from P.C.S., *Sri Ram* 45,766, 45,793, 45,796–99
Scheme in connection with P.C.S., and particulars *re*, *Piggott* - 47,506, 47,524, 44,579, 47,627–30, 47,745–6, 47,765–70
Some members of Bar might be got for, and particulars and prospects, *Shahid Husain*, 45,540–1; *Sri Ram*, 45,759–65; *Burkitt*, 46,118.
no Difficulty in obtaining recruits, and particulars *re* prospects, &c., *Burn* - - 44,899–901
Direct, from Europeans should be quite satisfactory, *Malaviya* - - - - 43,563–9
from Executive Branch, I.C.S., two-fifths advocated, *Riza Ali* - - - - 45,386–7
Improvements on present system suggested, *Burn* 44,639, 44,693–4, 44,982
from I.C.S., one-third advocated, *Sundar Lal*, 43,401, 43,476, 43,560–3; *Sri Ram*, 45,617, 45,741–2, 45,792, 45,823; *Saiyid Nabi-ullah*, 46,754.
Law degree should be compulsory, *Khushalpal Singh*, 43,148–50; *Malaviya*, 43,158, 43,216; *Sundar Lal*, 43,426, 43,802, 43,804–5.
on Lines of Indian High Courts under Letters Patent from the Crown advocated, and scheme, *Sundar Lal* - - - - 43,401, 43,475

Judicial Branch, I.C.S.—*continued.*
RECRUITMENT—*continued.*
LL.B. sufficient test for, open competition not advocated, *Saiyid Nabi-ullah* 47,036–7, 47,042–3
Outsiders with legal training permitted to enter, *Baillie* - - - - - - - 42,330
Present system satisfactory if proper training arrangements made, *Lindsay* - - - 48,273
from P.C.S.:
Advocated, and proportions suggested, *Malaviya*, 43,158; *U.P. Congress Committee*, 43,190–1; *Riza Ali*, 45,264, 45,384–7; *Piggott*, 47,506, 47,524, 47,579, 47,627–34, 47,745–6; *Muhammad Ali*, 47,901–2.
Direct appointment of more brilliant members of P.C.S. in certain cases suggested, *Shahid Husain* - - - - - - 45,546–9
One-third, advocated, *Sundar Lal*, 43,401, 43,476; *Sri Ram*, 45,617, 45,741–2, 45,780; *Saiyid Nabi-ullah*, 46,754, 45,768, 46,820.
Vested interests of present members should be considered before the introduction of scheme for promotion from P.C.S., *Burkitt* 45,989–93
Qualifications necessary for, particulars, *Sundar Lal* - - - - - - 43,426, 43,567
Recruits who join in early years of service should have definite assurance of promotion, *Lindsay* 48,273, 48,313–4
Scheme for, and knowledge of law would be improved by, *Abdul Majid* 44,504, 44,527, 44,557–8
Selection and not seniority should be taken most into consideration for, *Lindsay* - - 48,273
Senior Executive Officers should not be brought in, over heads of other officers in, *Lindsay* 48,273, 48,313–4
Rent work should be transferred to, and reasons, *Saiyid Nabi-ullah* - 46,789, 46,885–7, 66,913, 46,916–20, 47,029
Section 110 cases (*see* Badmashes *above*).
SEPARATE EXAMINATION FOR:
Advocated, *Moti Lal Nehru*, 46,467; *Natthi Mal*, 46,648.
not Advocated, *Baillie*, 42,054; *Yusuf Ali*, 42,614; *Marris*, 43,829, 44,148-9; *Burn*, 44,639, 44,693-4, 44,982; *Sri Ram*, 45,571; *Campbell*, 47,356, 47,359; *Lindsay*, 48,273.
in India and England simultaneously:
Advocated, and reasons, *Khushalpal Singh* 43,005–6, 43,010, 43,057 8, 43,066–8, 43,122-4; *Malaviya*, 43,158, 43,165, 43,212 4, 43,254–6, 43,289.
Probation in England for Indian candidates, suggested, and arrangements, *Khushalpal Singh* 43,005, 43,027, 43,029–30, 43,038, 43,066.

SEPARATION FROM EXECUTIVE BRANCH:
Advocated, *U.P. Congress Committee*, 43,190–1; *Malaviya*, 43,263–6, 43,354–5; *Sundar Lal*, 43,417, 43,426–8, 43,539, 43,564–5, 43,771–4; *Sitla Prasad Bajpai*, 44,313, 44,457–8; *Riza Ali*, 45,264, 45,301 2, 45,371-2; *Moti Lal Nehru*, 46,467, 46,555, 46,563–7; *Saiyid Nabi-ullah*, 46,914; *Lindsay*, 48,273; 48,311–4.
not Advocated, *Baillie*, 42,093; *Ledgard*, 42,479, 42,568 9; *Yusuf Ali*, 42,658; *Marris*, 43,883, 44,080 8; *Burn*, 44,651, 44,855 7; *Burkitt*, 45,867; *Clay*, 47,098; *Piggott*, 47,560.

STUDY LEAVE:
Advocated, and suggestions, *Khushalpal Singh*, 43,027, 43,036; *Marris*, 43,870; *Moti Lal Nehru*, 46,560 2; *Campbell*, 47,359, 47,479 80; *Muhammad Ali*, 47,850; *Lindsay*, 48,273, 48,343-5.
not Advocated, and reason, *Yusuf Ali*, 42,647, 42,906 7, 42,955–60; *Burn*, 44,648; *Burkitt*, 45,887, 46,032, 46,141.
Call to the Bar:
Advocated, with allowance, *Sitla Prasad Bajpai*, 44,310; *Muhammad Ali*, 47,825, 47,850; *Piggott*, 47,538; 47,547 8.
not Advocated, *Sundar Lal*, 43,426; *Saiyid Nabi-ullah*, 47,012–3; *Lindsay*, 48,278.
Regulations *re*, fairly liberal, *Clay* - - 47,280
Tendency to concentrate subordinate courts at headquarters, *Burn* - - - - - 44,761

Judicial Branch, I.C.S.—*continued.*
TRAINING:
Attachment to High Court, advocated, *Moti Lal Nehru*, 46,473, 46,545–6; *Muhammad Ali*, 47,851.
Criminal work not so important as civil work, *Saiyid Nabi-ullah* - - 46,910–1, 47,045–9
Legal, special course of study in India:
Advocated, and suggestions, *Yusuf Ali*, 42,648, 42,739, 42,961, 42,966; *Sitla Prasad Bajpai*, 44,311; *Sri Ram*, 45,593; *Burkitt*, 45,867, 45,885–8, 46,032–40, 46,042, 46,080–1, 46,140; *Natthi Mal*, 46,648, 46,674; *Piggott*, 47,538, 47,547–8, 47,698–9.
not Advocated, *Marris*, 43,870; *Burn*, 44,648; *Sri Ram*, 45,593–4; *Saiyid Nabi-ullah*, 46,777.
Appointment as assistant judges in addition to departmental examination, *Burn* - - 44,648
Differentiation between persons of mixed and unmixed descent, not advocated, *Burn* - 44,648
Recommended for recruits from Executive Branch, P.C.S., only, and suggestion for, *Burn* 44,648
(*see also under* Law.)
no Proper training for, disadvantages, and recruitment on system equivalent to that in subordinate judicial service advocated, *Malaviya* 43,158, 43,257–62
Scheme outlined in letter from Government of India to Imperial Government in 1911, advocated, *Clay* - - - - 47,062, 47,093, 47,186
Sitting with Judicial Officers to hear trial of civil cases advocated, *Sundar Lal*, 43,426; *Muhammad Ali*, 47,851.
in Subordinate offices:
Advocated, and suggestions, *Baillie*, 42,400; *Khushalpal Singh*, 43,035; *Sundar Lal*, 43,426; *Marris*, 43,872; *Sitla Prasad Bajpai*, 44,312; *Abdul Majid*, 44,528; *Riza Ali*, 45,264, 45,398; *Shahid Husain*, 45,440; *Sri Ram*, 45,595, 45,617, 45,711–2, 45,733–6, 45,777–9; *Moti Lal Nehru*, 46,451, 46,477–8, 46,545–6, 46,561–2; *Saiyid Nabi-ullah*, 46,754, 46,776–7, 46,911–3, 47,007–13; *Clay*, 47,094; *Campbell*, 47,359; *Piggott*, 47,506, 47,549; *Muhammad Ali*, 47,852; *Lindsay*, 48,273, 48,340, 48,342.
not Advocated, *Yusuf Ali*, 42,649, 42,693, 42,962; *Burn*, 44,648; *Burkitt*, 45,889, 46,041.
Transfer of cases, reasons for, *Piggott* - 47,812 4
Vakils, particulars *re* works, functions, &c., *Burkitt* 46,114–7
Work in mufassal district, particulars *re* disadvantages of, and men should take more holidays, *Piggott* - - - - - - - 47,690–3

Judicial Branch, P.C.S.:
Bar often preferred to, *Riza Ali* - - - 45,264
Bengalees holding large proportion of posts in, and objection to, *Rizi Ala* - - 45,275, 45,376
CADRE:
Increase of, Advocated, *Sundar Lal*, 43,499, 43,783; *Saiyid Nabi-ullah*, 46,788, 47,023–6.
Details of, *Sheo Prasad* - - - - 46,205
Method of fixing strength, *Burn* - - 44,649
COMBINATION OF FUNCTIONS WITH EXECUTIVE BRANCH:
Abuses of, *Burn* - - - - - 44,659
Distinct from Executive Branch at present, and no necessity for any change, *Natthi Mal* 46,685, 46,714
Extent, *Sundar Lal*, 43,441; *Marris*, 43,938; *Sitla Prasad Bajpai*, 44,331; *Sri Ram*, 45,609; *Moti Lal Nehru*, 46,488; *Saiyid Nabi-ullah*, 46,789; *Muhammad Ali*, 47,869; *Sheo Prasad*, 46,220, 46,348–51.
Efficiency of, *Sri Ram* - - - - - 45,767
EXECUTIVE BRANCH:
Comparison with, *Sheo Prasad* - - 46,329–30
should not Share certain posts with, and reasons, *Sitla Prasad Bajpai* - - 44,332, 44,408–9
Greeven scheme recently sanctioned for, and particulars *re* objects and works of, *Sheo Prasad Bajpai*, 44,405 7; *Sri Ram*, 45,608; *Burkitt*, 45,976–7, 46,105, 46,189 91; *Piggott*, 47,547, 47,549, 47,564, 47,572, 47,576, 47,579, 47,583, 47,643.

Judicial Branch, P.C.S.—*continued.*
Health of members, particulars *re* in relation to special leave, *Sitla Prasad Bajpai* - 44,472 7
Improvement in quality of men during recent years, *U.P. Congress Committee*, 43,191; *Burkitt*, 45,864, 46,064–6.

LEAVE:
Annual vacation:
Advocated in hot weather, but difficulty *re*, *Lindsay* - 48,274, 48,319–24, 48,327, 48,330, 48,351, 48,460–1
Given, and grievance *re*. *Burn*, 44,661; *Piggott*, 47,589, 47,592, 47,650–4; *Lindsay*, 48,321–3.
One month on full pay given, and suggestion for extra fortnight, *Burkitt* - 45,979–83, 46,019–20, 46,159
Compulsory recess, not necessary if leave on full pay given, *Sitla Prasad Bajpai* - 44,472–3
on Full pay (Privilege):
not Given, dissatisfaction on account of, and suggestions for improvement, *Sundar Lal*, 43,775–80; *Marris*, 43,954; *Burn*, 44,661, 45,059–63; *Sri Ram*, 45,617, 45,662–6, 45,721–2, 45,844–5; *Burkitt*, 45,977-83, 46,019, 46,154–60, 46,172–7; *Piggott*, 47,589, 47,787; *Lindsay*, 48,274, 48,324, 48,327, 48,350–4.
Privilege given on half pay, and disinclination to take on account of, *Sitla Prasad Bajpai* 44,483
not Usually taken by Provincial judicial officers. *Burn* - - - - - - 44,659
Officers do not take enough, reasons and bad results of, *Sri Ram*, 45,617, 45,662–6, 45,721–2, 45,844–5; *Burkitt*, 45,908, 45,912, 45,967–77, 46,100–4, 46,178–88; *Lindsay*, 48,274, 48,328–30, 48,458–9.
Public holidays:
Number and particulars *re*, *Piggott* 47,655–7, 47,751–4, 47,794–5
Particulars *re*, and officers do work on. *Lindsay* 48,321–2, 48,462–5
Reserve:
Arrangements for, and percentage and statement of proportion, *Burn* - - 44,659, 44,661
Larger, would be needed if restrictions and leave rules removed, *Lindsay* - 48,325–6
Working of, satisfactory, *Burkitt* - - 45,908
Suggestions for improvement in, by combination of leave with vacation, *Sundar Lal* - - 43,446
Listed Posts (*see that title*).
Litigation, increase of, *Piggott* - - - 47,583
Muhammadan community not duly represented in, and should be, *Saiyid Nabi-ullah* 46,786, 46,844–6, 46,902–6, 47,014–6
Mukhtiars, particulars *re*. *Burkitt* - - 46,047–2, 46,057–8, 46,161
Number of graduates in, *Sundar Lal* - - 43,436
Number of officers, *Burn* - - - - 44,909
Number of prize posts advocated for, *Burn* 44,639, 44,670, 44,700–3

OUDH:
Independent court and different laws, particulars, *Piggott* - - - - - - - 47,602–3
Leave:
Grievance *re* annual vacation, and interests of individual officers clashes with that of administration, particulars *re*, *Piggott* - 47,592, 47,650–4
no Reserve, and methods employed instead of, and scheme, *Piggott* - - 47,573, 47,737
Rules not contributory cause of excessive transfers, *Piggott* - - - - 47,593
no Members other than Natives of India in, *Piggott* 47,565
Officers kept distinct from those in United Provinces, *Sitla Prasad Bajpai* - 44,373, 44,375
Recruitment, only made as vacancies occur, and difficulty *re*, *Piggott* - 47,573, 47,575, 47,737
Overwork in, many officers break down through strain, and remedies suggested, *Sundar Lal*, 43,499, 43,783; *Sri Ram*, 45,617, 45,662–66, 45,721–2, 45,844–5; *Burkitt*, 45,908, 45,912, 45,967, 46,100–41, 46,178–88; *Saiyid Nabi-ullah*, 46,788, 47,023, 47,026; *Piggott*, 47,783–9; *Lindsay*, 48,274, 48,328–30, 48,458–9.

Judicial Branch, P.C.S.—*continued.*
Particulars *re* cases, and books used in connection with, and rulings in English courts not often referred to, *Burkitt* - - - - - 46,071–9

PAY:
Differentiation from Executive Branch, particulars and reasons for, *Burn*, 45,027–36, 45,045–9; *Sheo Prasad*, 46,226, 46,310.
Inadequate, and increase suggested, *Riza Ali*, 45,276, 45,388–94; *Sri Ram*, 45,612; *Saiyid Nabi-ullah*, 46,791; *Piggott*, 47,582, 47,584, 47,798–9.
Initial, Rs. 200 advocated, *Lindsay* - - 48,466
Lowest grade worse paid than that in Executive Branch, but no reason for, and minimum of Rs. 250 for both services recommended, *Baillie* 42,395–7
Rates of, and number of posts, statements for 1890, 1900, and 1912, *Burn* - - p. 217–8
Time scale advocated, *Sri Ram* - - - 45,617
Probation, present system satisfactory, and particulars, *Sitla Prasad Bajpai*, 44,322; *Burn*, 44,657.

PROMOTION:
Grade reversions and, among munsifs and Subordinate Judges made by the High Court and Judicial Commissioners, and arrangements, *Burn* - - - - - - 44,659, p. 210–1
Inadequate percentage of men in higher grades, and improvements suggested, *Saiyid Nabi-ullah*, 46,788; *Muhammad Ali*, 47,868.
to I.C.S., not advocated, *Burn* 44,659, 44,768–9, 45,021
Officiating not advocated, and reasons, *Burn* 45,038–44
by Seniority below Rs. 500 per mensem grade only, and approval of, *Burn* - - 44,659, p. 210
very Slow, and dissatisfaction *re*, and time-scale advocated as remedy, *Sri Ram* - - 45,617
Stages of, particulars, *Burn* - 44,659, p. 210
Uneven owing to lack of uniformity in recruitment, *Sitla Prasad Bajpai* - - - 44,328
(*see also* Promotion, P.C.S.)
Prospects better than Executive Branch, P.C.S., and system not approved, *Sheo Prasad*, 46,226, 46,310; *Chaudhri Maharaj Singh*, 48,145, 48,179–80, 48,216–20, 48,265.

RECRUITMENT:
no Anglo-Indians recruited in Agra and Oudh, and reasons, *Sitla Prasad Bajpai* - - 44,319
Age limit, particulars *re*, and reduction of, might procure better men for, *Sri Ram* - 45,815–22
from the Bar:
Abolition of listed posts might affect, *Campbell* 47,482
Advocated, *Sitla Prasad Bajpai*, 44,316, 44,382–7; *Muhammad Ali*, 47,863.
not Advocated, and reasons, *Burn* - 44,657, 44,695–8, 44,840–6
Arrangements for, in probationary grade, *Burn* 44,659, p. 210
Solely, and particulars, *Sundar Lal* 43,743, 43,814–6
Best men not obtained under present system, *Piggott* - - - - - - - 47,546
Best men would be obtained by, if those standing first in LL.B. examination accepted appointments, *Sri Ram* - - - - - 45,787–8
Better facilities for, than for Executive Branch, *Malaviya*, 43,386; *Sheo Prasad*, 46,208, 46,332; *Chaudhri Maharaj Singh*, 48,264–6.
Better men attracted by, than to Executive Branch, *Burn* - - - - - - - 45,046
Cadre, strength of (*see* Strength of Service).
Class representation:
Advocated, *Khushalpal Singh*, 43,043; *Piggott*, 47,568.
Allowed for, as far as possible, but paucity of candidates among certain classes, *Burkitt* 45,907
Comparison of system with Executive Branch, I.C.S., *re* age-limits, qualifications necessary for, &c., *Sheo Prasad* - - - - 46,319–28

Judicial Branch, P.C.S.—*continued.*
RECRUITMENT—*continued.*
Competitive examination, work of men entering by, satisfactory, *Yusuf Ali* - - 42,976–7
Compulsory degree except in case of barristers, advocated, *Sitla Prasad Bajpai* - - 44,316
Minimum degree of ability ensured by method of, *Burn* - - - - - - - - 44,659
no Need for separate competitive examination for, *Sheo Prasad* - - - - - - 46,208
Nomination the best method, *Piggott* - 47,566
Present system satisfactory, *Khushalpal Singh*, 43,043; *U.P. Congress Committee*, 43,191; *Sundar Lal*, 43,436, 43,444; *Sitla Prasad Bajpai*, 44,320; *Burn*, 44,658; *Burkitt*, 45,906.
Promotion from Subordinate Service, restrictions on, suggested, *Sitla Prasad Bajpai* - 44,316
Qualifications required for, *Malaviya*, 43,158, 43,381–3; *Sitla Prasad Bajpai*, 44,316; *Riza Ali*, 45,264.
Restriction to residents, advocated, *Piggott*, 47,567
Rules:
Modifications suggested, *Sitla Prasad Bajpai* 44,316
Unsatisfactory and remedy suggested, *Piggott* 47,564, 47,644–9, 47,735–7, 47,740–2
Suggestions *re*, *Marris* - - 43,927, 44,249–52
Systems, *Sitla Prasad Bajpai*, 44,318; *Sheo Prasad*, 46,208; *Burn*, p. 216.
no Uniformity in, and examples, *Sitla Prasad Bajpai* - - - - - - - - 44,328
at Younger age advocated, and suggestions, *Piggott* 47,755–8
Scheme for combined nomination and examination in India might upset prospects of, *Lindsay* 48,438–56

SEPARATION FROM EXECUTIVE BRANCH:
Advocated, *Khushalpal Singh*, 43,048, 43,101–7; *Sundar Lal*, 43,441, 43,539, 43,771–4; *Shahid Husain*, 45,455, 45,461, 45,491; *Sri Ram*, 45,609; *Moti Lal Nehru*, 46,488, 46,555; *Natthi Mal*, 46,715–6; *Saiyid Nabi-ullah*, 46,789, 46,885, 46,914; *Muhammad Ali*, 47,869.
not Advocated, *Baillie*, 42,127; *Burn*, 44,659, 45,069 71; *Sheo Prasad*, 46,220, 46,348 51; *Natthi Mal*, 46,685, 46,714; *Piggott*, 47,578.
Criminal and executive work should be divided and magistrates should not have power *re* Rent Act, &c., *Sitla Prasad Bajpai* - - - 44,331

STRENGTH OF SERVICE:
Classes of officers, and appointments, *Burn*, p. 216; *Sheo Prasad*, 46,205.
System for determining, approved, *Sitla Prasad Bajpai* - - - - - - - - 44,325

TRAINING:
Better system desired, *Clay* - - - 47,062
Departmental examination, none, and not necessary, *Sitla Prasad Bajpai*, 44,423; *Burn*, 44,658.
Reserve, no necessity for, *Burn* - - 44,659
System approved and particulars *re*, *Sitla Prasad Bajpai* - - - - - - - - 44,322
Valuable experience gained by, and good on the whole, *Sri Ram* - - - - 45,789–91
Transfers, reduction not possible to any great extent, *Burn* - - - - - - - - 44,661
Work, trying nature of, and details, *Burkitt* 45,971 5, 46,020

Judicial Commissioners (*see* Commissioners, Judicial).

Judicial Department, Under Secretaryship, inclusion in listed posts advocated, *Sitla Prasad Bajpai*, 44,301; *Sri Ram*, 45,651, 45,846.

K.

Kanungos, particulars *re* appointments and promotion, *Baillie* - - - - - - - - 42,391–4

Kayasthas, majority of lawyers are, *Sitla Prasad Bajpai* - - - - - - - - - 44,321

Khushalpal Singh, Raja, M.A., LL.B., evidence of 43,001 156

L.

Lal, Dr. Sundar, Rai Bahadur, B.A., LL.B., C.I.E., evidence of - - - - - - 43,393–816

Land Records, Director of Agriculture and (*see* Director of Land Records and Agriculture).

Law:
Best men from Universities did not always go in for, *Muhammad Ali* - - - - - - 47,838
Better training in, necessary, *Baillie* 42,163, 42,220
in Departmental Examination (*see under* Training, I.C.S.).
Difference between Indian and European, *Yusuf Ali*, 42,647; *Burkitt*, 45,887, 46,107.

HIGHER STUDY:
Rules for encouragement of, analogous to those for study of Oriental languages, not advocated, *Marris*, 43,873; *Burn*, 44,648; *Burkitt*, 45,890; *Clay*, 47,075; *Piggott*, 47,550.
would be Useful, but should be voluntary, and should be in India under Indian conditions, *Yusuf Ali* - - - - 42,650, 42,901–5
in I.C.S. Examination (*see under* I.C.S. Examination).

KNOWLEDGE OF, BY MEMBERS OF I.C.S.:
Complaints *re*, due to shortening of probation in England, *Burkitt* - - - - - 45,872
Executive officers deficient in, particulars, *Riza Ali* - - - - 45,264, 45,296, 45,360
Improvement necessary, and suggestions, *Moti Lal Nehru*, 46,476; *Natthi Mal*, 46,672.
Particulars *re*, *Burn* - - - - - 44,648
Practical working knowledge possessed by most members, *Yusuf Ali* - - 42,647, 42,901–2
Scheme of instruction in India not advocated, *Burkitt*, 45,883; *Clay*, 47,088.
Training (*see under* Training, Legal, *under* Judicial Branch, I.C.S., *and under* Probation, I.C.S.).

Leave, I.C.S.:
ALLOWANCES:
Alternative sterling and rupees rate, no change suggested, *Baillie* - - - - - 42,109
Maximum, increase to 1,200*l.* advocated, and reason, *Marris* - - - - - - - - 43,904
Maximum and minimum limits, suitable, *Baillie* 42,109
Privilege rate of exchange:
no Change advocated, *Baillie*, 42,108; *Marris*, 43,903; *Burn*, 44,655.
not Necessary if scale of salaries raised, *Yusuf Ali* - - - - - - 42,670, 42,748–9

ANNUAL VACATION:
Compulsory month's holiday, objected to, and reasons, *Burn* - 44,945–7, 44,821, 45,022–3

COMBINED PRIVILEGE AND SPECIAL:
Inconvenience due to officers of under eight years' service asking for, but no change advocated, *Burn* 44,655
Restriction *re* minimum of six months, should be abolished, and reason, *Yusuf Ali*, 42,669, 42,740, 42,742; *Marris*, 43,905.

ON FULL PAY (PRIVILEGE LEAVE):
Accumulation:
of More than three months, not advocated, except in cases of previous refusal, *Burn* 44,655, 44,943–4
without Restriction, advocated, and particulars, *Yusuf Ali* - - - 42,669, 42,740, 42,742
Decrease in, and reasons, *Burn* - - - 44,655
Full amount suitable, *Marris* - - - 43,900
Full amount taken, *Burn* - - - - 44,655
Full amount taken by about 85 per cent. of members of I.C.S., but not by others, *Marris* - 43,950
Full amount not taken, reasons, *Sheo Prasad* 46,232, 46,286–8, 46,301–2
Less taken since introduction of combined leave in 1901, and of shorter duration when taken, *Yusuf Ali* - - - - - - - - 42,668
More taken than formerly, *Marris* - - 43,899
Restriction *re*, before completion of eight years' service, abolition advocated, *Yusuf Ali* 42,743–4
Smaller amount of, should be permitted instead of larger amount on half pay, *Baillie*, 42,105, 42,179; *Marris*, 43,905, 43,908, 44,239 40.

Leave, I.C.S.—*continued.*

FURLOUGH:

Allowance:

Approved, *Baillie*, 42,107; *Piggott*, 47,591.

no Change suggested, *Burn* - - - 44,655

Maximum and minimum, suitable, *Clay* 47,108, 47,333 40

Should vary according to number of years' service, *Clay* - - - - - 47,108

Suitable for junior men, but hard on senior members, *Marris* - - - - 43,902

Full amount not taken, reasons, *Baillie*, 42,106; *Marris*, 43,901; *Burn*, 44,655.

Less taken than formerly, and reasons, *Marris* 43,899

Long, decrease in, *Baillie* - - - - 42,104

Percentage taken, *Burn* - - - - 44,655

Increase in amount taken since introduction of combined leave, *Baillie* - - - - - 42,104

Leave ledger system, approved, *Yusuf Ali* 42,741–2, 42,745–7

Less taken than formerly, and reason, *Marris*, 43,899; *Burkitt*, 45,901; *Campbell*, 47,358.

Listed posts *(see that title)*.

One-fourth of active service with maximum of six years advocated, *Sheo Prasad* - - - 46,132

Out of India, more frequent, but proportion of furlough actually taken less, and no bad effects from, and particulars *re*, *Burn* - - 44,988 9

Privilege *(see* on Full pay *above)*.

Quinquennial percentages, *Burn* - - - 44,655

RESERVE:

Adequate number of Europeans should be maintained for, *Clay* - - - - - 47,072

Arrangement not satisfactory in regard to short leave, and suggestion, *Sheo Prasad* - 46,215

Percentage, *Muhammad Ali*, 48,087; *Burn*, p. 200.

RULES:

Abolition of restriction of three years' interval between two successive periods of furlough, advocated, *Burn* - - 44,749–50, 44,948–51

no Alterations advocated, *Shahid Husain*, 45,447; *Saiyid Nabi-ullah*, 46,782.

Difference from P.C.S.:

Approved, *Marris*, 43,955; *Sheo Prasad*, 46,232; *Natthi Mal*, 46,690; *Muhammad Ali*, 47,873.

not Approved, *Shahid Husain*, 45,459: *Saiyid Nabi-ullah*, 45,459.

Fair on the whole but certain inconvenient restrictions should be abolished, *Marris* - 43,905, 43,908, 44,239–40

New, introduced in 1901, *Burn* - - - 44,655

Revision under official discussion, *Yusuf Ali* 42,669

Simplification advocated, *Lindsay* - - 48,274

Successful from point of view of Administration and individual officers, *Marris* - - 43,906

excessive Transfers caused by, *Burn* - - 44,655

excessive Transfers not caused by, *Marris*, 43,906; *Sitla Prasad Bajpai*, 44,349.

Short leave, tendency to spend in Europe should be checked, and reasons, *Muhammad Ali* - 47,860

Special, small but gradual increase in amount taken, and reasons, *Burn* - - - - - 44,655

Statutory Civilians *(see that title)*.

Leave, P.C.S.:

ALLOWANCES, MAXIMUM AND MINIMUM LIMITS:

Believed to be inoperative in case of Deputy Collectors, *Marris* - - - - - 43,951

Suitable, *Burn*, 44,661; *Sheo Prasad*, 46,234.

Suitable, except in case of medical leave, and suggestion, *Sitla Prasad Bajpai* - - 44,346

ANNUAL VACATION:

Compulsory month's holiday on full pay would not be taken by many, and reasons, *Burn* 44,822–4

Forced on Oudh service against wish of members, and suggestions *re*, *Sitla Prasad Bajpai* 44,350, 44,391–6, 44,429–33, 44,467–71

one month on Full pay should be allowed to judicial officers, *Sitla Prasad Bajpai*, 44,350, 44,391–6; 44,449–54; *Sri Ram*, 45,617, 45,662–6, 45,721–2, 45,844–5.

Leave, P.C.S.—*continued.*

ON FULL PAY:

Accumulation of, over three months in certain cases, advocated, *Burn* - - - - 44,661

Full amount sufficiently liberal, *Burn* - 44,661

Greater facilities for, would diminish number of applications for long leave, *Sheo Prasad* 46,232

only Leave taken much by Indians, *Sitla Prasad Bajpai* - - - - - - - - 44,342

Rules, seriously affect judicial branch, *Sitla Prasad Bajpai* - - - - - - 44,350, 44,390

FURLOUGH:

Allowance suitable, *Marris*, 43,950; *Sitla Prasad Bajpai*, 44,345; *Sheo Prasad*, 46,233.

Combination with other kinds of leave, results of, *Burn* - - - - - - - - 44,661

Full amount not taken, but no reduction advocated, *Sitla Prasad Bajpai*, 44,344; *Burn*, 44,661.

Full amount not taken as a rule and commutation to half the amount of leave on full pay suggested, *Marris* - - - - - - - 43,949

Permission to take, at any time subject to two years' limit, suggested, *Sheo Prasad*, 46,232, 46,383–4; *Chaudhri Maharaj Singh*, 48,147.

Rarely taken except for ill-health and reasons, *Burn* - - - - - - - - 44,661

Rules, alterations and removal of certain restrictions advocated, *Sheo Prasad* - 46,232, 46,305, 46,378–87

Special, in urgent cases, for period not exceeding six months advocated, *Sheo Prasad* - - 46,235

LONG LEAVE:

Amount given, particulars, *Sheo Prasad* - 46,324, 46,361, 46,376–7

should not Fall below two-fifths of actual service, *Sitla Prasad Bajpai* - - 44,347, 44,350

Seldom taken by members of P.C.S. except for special reasons during last 20 years, and reasons, *Sheo Prasad* - - - - 46,232, 46,384

MEDICAL:

Amount given, particulars *re* allowance, *Sheo Prasad* - - - - - 46,232, 46,373–5

only Taken by Indians when necessary and reasons, *Sitla Prasad Bajpai* - - - - 44,342

Members of P.C.S. should be encouraged to spend some time in Europe, and reasons, and suggestions for, *Sheo Prasad*, 46,222, 46,232, 46,300, 46,361–2, 46,386; *Muhammad Ali*, 47,873, 48,097–9.

Officers do not take too little, and become stale at work as sometimes alleged, *Burn* - - 44,825

One-fifth of active service advocated for, and particulars, *Sheo Prasad* - - - - - 46,232

Percentage, statement of, and details *re*, *Burn* 44,659

on Private affairs and extraordinary, rarely taken, *Burn* - - - - - - - - 44,661

RESERVE:

no Allowance made for, in Agra and Oudh, *Sitla Prasad Bajpai* - - - - - 44,326

None before 1903, particulars, *Sheo Prasad* - 46,397–8

Percentage and particulars *re*, *Burn*, 44,659, 44,661; *Sheo Prasad*, 46,214–5, 46,287; *Chaudhri Maharaj Singh*, 48,143.

no Practical reserve for short and privilege leave, complaint *re*, and scheme for improvement, *Sheo Prasad* - - - - - 46,286–8, 46,400–2

RULES:

no Alterations suggested, *Burn*, 44,661, 45,086–9; *Saiyid Nabi-ullah*, 46,793.

Contributory cause of transfers, *Burn* - 44,661

not a Contributory cause of excessive transfers, *Marris*, 43,954; *Sheo Prasad*, 46,237; *Piggott*, 47,593.

Difference from I.C.S. (*see under* Rules *under* Leave, I.C.S.).

Fear of transfer acts as restriction on leave, and suggestions, *Marris* - - - - 43,954

no Inconvenience caused to Administration by, *Marris*, 43,952–3; *Sitla Prasad Bajpai*, 44,348; *Sheo Prasad*, 46,236.

Theoretically no inconvenience caused to Administration by, but practical difficulties, and new scheme to come into force *re*, *Burn* - 44,661

Leave, P.C.S.—*continued.*
Short leave, difficulties *re* obtaining, and scheme for improvement suggested, *Sheo Prasad* 46,286–8, 46,400–2
Statistics of amount taken in 1893–7, 1902, 1903–7, 1908 12, *Burn* - - - - - - - 44,661
Transfers caused by present system, reasons, *Sheo Prasad* - - - - - - - - 46,232
(*see also* Executive Branch, P.C.S., *and* Judicial Branch, P C.S.)

Ledgard, H., evidence of - - - - 42,479-602

Legal Remembrancer:
Appointment of Government Pleader or Public Prosecutor made by, *Yusuf Ali* - - - 42,858
Consulted by District Magistrate in certain cases for prosecutions, *Sundar Lal* - - - 43,681–3
Inclusion among listed posts not advocated, *Sundar Lal* - - - - - - - - - 43,795
Listing of post advocated, *Sheo Prasad* - - 46,221
Post may be held by district and sessions judge of any grade but first, *Burn* - - - - 44,649
Post should be held by Indians, *Riza Ali* - 45,264

Legislative Councils (*see under* Councils).

Lieutenant-Governor:
Pay, *Burn* - - - - - - p. 201, p. 202
Pension, special, advocated for, and suggestions *re*, *Baillie*, 42,114; *Marris*, 43,915; *Burn*, 44,751; *Campbell*, 47,360.
Post of, should not be accessible to men holding listed posts, *Baillie* - - - - 42,204–5
Post should not be open to Indians at present, *Sri Ram* - - - - - - - - - 45,703

Lindsay, Benjamin, I.C.S., evidence of - 48,271–468

Listed Posts:
ABOLITION:
Advocated and suggestions, *Moti Lal Nehru*, 46,466, 46,523–5, 46,528; *Campbell*, 47,356, 47,378–9, 47,383–5, 47,388–91, 47,474, 47,482–3.
Advocated if separate examination introduced, *Riza Ali* - - - - - - - 45,263
would Damage prospects of P.C.S., but new scheme opens up another avenue for employment of same class, *Lindsay* - 48,271, 48,299–303, 48,439–50
without Establishment of separate Indian cadre, not advocated, even if extra money devoted to improvements in P.C.S., *Campbell* - 47,425–7

ADMISSION OF INDIANS OTHER THAN MEMBERS OF P.C.S. OR STATUTORY CIVILIANS TO ONE QUARTER:
Approved, *Sundar Lal*, 43,414; *Abdul Majid*, 44,516; *Natthi Mal*, 46,662.
not Approved, *Sri Ram*, 45,584; *Moti Lal Nehru*, 46,465; *Saiyid Nabi-ullah*, 46,767; *Muhammad Ali*, 47,839.
Power never exercised, and not practicable, and reasons, *Burn* - - - - - - 44,644
Power not used, but should be retained, *Yusuf Ali*, 42,629; *Khushalpal Singh*, 43,024; *Shahid Husain*, 45,429.
Agra and Oudh, list of, and appointments, *Sri Ram* 45,583
All have not yet been opened to Indians, and promised revision of list not yet undertaken, *Muhammad Ali* - - - - - - - - - 47,832
All should be thrown open to P.C.S., *Sri Ram* 45,617, 45,690–1, 45,841–3
no Alteration in system advocated, and great importance attached to, *Sitla Prasad Bajpai* 44,294, 44,360–1
Appointments from the Bar, would not affect recruitment to Judicial Service at bottom, *Riza Ali* 45,397, 45,400

APPOINTMENT TO:
at Earlier age, advocated, and reasons, *Baillie*, 42,144–7; *Yusuf Ali*, 42,626, 42,945–6; *Khushalpal Singh*, 43,023, 43,052, 43,069-72; *Sitla Prasad Bajpai*, 44,363–72, 44,410, 44,478 81; *Burn*, 44,659, 44,671; *Sheo Prasad*, 46,222; *Muhammad Ali*, 47,838, 47,971–5, 48,137.
should not Interfere with I.C.S., *Yusuf Ali* 42,624 42,677, 42,889

Listed Posts—*continued.*
APPOINTMENT TO—*continued.*
from Members of P.C.S. and others, particulars *re*, *Sitla Prasad Bajpai* - 44,300, 44,330, 44,332, 44,365, 44,411
Method, *Lindsay* - - - - - 48,271
on Occurrence of vacancies only, disadvantage to Indians, *Baillie* - - - - - 42,150
Promotion after, suggestions *re*, *Baillie* 42,052–3, 42,139–41
Qualification for, high standard of, but degree need not be compulsory, *Riza Ali* - 45,264, 45,406–9
after Ten years' service, not advocated and reasons, *Piggott* 47,622, 47,624, 47,744, 47,746, 47,748–50
Test should be stiffer than at present, *Sheo Prasad* 46,196
an Attraction to P.C.S. and removal would be a grievance, *Chaudhri Maharaj Singh* - 48,256–7
Best Indians who are in sympathy and contact with people not selected for, *Muhammad Ali* - 47,832, 47,917–23
Certain posts should not be open to men holding, *Baillie*, 42,052–3, 42,139–41, 42,204–5; *Chaudhri Maharaj Singh*, 48,144.
Class suitable, *Khushalpal Singh*, 43,026; *Natthi Mal*, 46,664; *Clay*, 47,076.
Class unsuitable, and scheme for improvement, *Muhammad Ali* - - - - - - 47,841
Continuance advocated with any system of recruitment of Indians in India, *Sri Ram* 45,570, 45,637, 45,652–4
Correction of statement in Appendix IV. and Appendix V., *Clay* - - - - - 47,074

EXECUTIVE:
no Alteration in present system advocated, *Moti Lal Nehru* - - - - - - - - 46,450
Increase advocated, and reasons and schemes, *Khushalpal Singh*, 43,005, 43,009, 43,053, 43,063, 43,089, 43,127; *Burn*, 44,639, 44,697–702, 44,775–6, 44,861–5, 45,021, 45,051–8, 45,072–7; *Clay*, 47,076; *Chaudhri Maharaj Singh*, 48,144.
Present number should be retained, even with separate examinations and reasons, *Piggott* 47,505, 47,804–6
Higher posts, present system of appointments to, unsatisfactory, *Yusuf Ali* - - - 42,993–4
Increase advocated, and suggestions, *Baillie*, 42,052–3, 42,064, 42,137–8, 42,188–96, 42,320–5, 42,329, 42,352–3; *Khushalpal Singh*, 43,009, 43,026; *Sundar Lal*, 43,413, 43,416, 43,484–9, 43,510, 43,625, 43,787 95; *Sitla Prasad Bajpai*, 44,361–2; *Sri Ram*, 45,583, 45,651–4, 45,693–4, 45,718–20; *Sheo Prasad*, 46,221; *Muhammad Ali*, 47,838, 47,839, 47,868, 47,897–9, 47,908, 47,978–9, 48,005; *Chaudhri Maharaj Singh*, 48,144.
Increase not necessary if scheme for nomination of Indians adopted, *Burn* - - - - 44,644
Increase not objected to, *Clay* - - - 47,072

INFERIOR:
First-class magistrates would not be eligible for, normally, before a considerable number of years, *Clay* - - - - - - 47,201–2
Leave, proportion of vacancies allowed for not realised, and reason for, *Burn* - - 44,649
Merging in P.C.S.:
Approved, *Baillie*, 42,069; *Yusuf Ali*, 42,630; *Khushalpal Singh*, 43,025; *Malaviya*, 43,178; *Sundar Lal*, 43,415; *Marris*, 43,846, 43,940, 43,943; *Abdul Majid*, 44,517; *Burn*, 44,644, 44,659, 44,796 8; *Shahid Husain*, 45,430; *Moti Lal Nehru*, 46,466, 46,523–5, 46,528–9; *Natthi Mal*, 46,663; *Piggott*, 47,523–4, 47,580.
not Approved, *Sitla Prasad Bajpai*, 44,333, 44,412 3; *Sheo Prasad*, 46,222, 46,300; *Clay*, 47,074, 47,320–2; *Campbell*, 47,378; *Piggott*, 47,523–4; *Muhammad Ali*, 47,840, 47,976–7, 48,009 10.
Members of P.C.S. should be entitled to quarter of all posts in every class and grade instead of system of, and scheme, *Muhammad Ali* 47,838, 47,841, 47,849, 47,897–9, 47,908, 47,978–9, 47,990, 48,135

Listed Posts—*continued.*
INFERIOR—*continued.*
Merging in P.C.S.—*continued.*
Restoration of inferior posts would not assist scheme for recruiting I.C.S. from P.C.S., *Burkitt* - - - - - - 46,000
Number and particulars *re*, *Clay* - 47,193 5, 47,201–2
more Status carried by, and better chances in, than such posts as deputy collectors and subordinate judges, but emoluments possibly not greater. *Yusuf Ali* - - - - 42,990 2
JUDICIAL:
Abolition advocated. *Moti Lal Nehru* - 46,450, 46,458, 46,466, 46,523 5, 46,528
Comparison with Executive Branch. *Burn*, 44,639, 44,700–3; *Chaudhri Maharaj Singh*, 48,145, 48,178.
Increase of number advocated. *Sri Ram*, 45,617; *Burkitt*, 45,864, 45,909; *Chaudhri Maharaj Singh*, 48,144.
Merged in P.C.S., continuance of present system advocated, *Moti Lal Nehru* - 46,450, 46,466, 46,523–5, 46,528–9
Number of, *Sundar Lal*, 43,436; *Burn*, 44,649, 44,659, p. 211, 44,670, 44,768 74, 44,858 60, 44,903, 45,021; *Piggott*, 47,579.
Proportions advocated. *Khushalpal Singh*, 43,005, 43,053, 43,063, 43,089, 43,126; *Burn*, 44,639, 44,669–70, 44,700–3, 44,768–74, 44,765, 44,858–60, 44,903, 44,910, 45,021.
Promotion, scheme. *Sitla Prasad Bajpai* 44,419 25
Selection for, should be earlier, and reasons, *Burkitt* - - 45,864, 45,909, 45,923, 46,133–9
Tendency to list more freely than executive, and discontent in Executive Branch likely to result from, remedy suggested. *Clay* - - 47,076
LEAVE:
Officers take very little, examples, *Burn* - 44,870
Rules:
no Complaints *re*, and differentiation from I.C.S. not objected to, *Marris* - - - 43,909
Differentiation from I.C.S., approved, *Burn* 44,655
Improvement advocated, *Khushalpal Singh* 43,052
Similar to I.C.S. advocated, *Sundar Lal*, 43,433, 43,519–21, 43,630; *Shahid Husain*, 45,448; *Saiyid Nabi-ullah*, 46,783; *Natthi Mal*, 46,678.
Similar to I.C.S. not essential. *Muhammad Ali* 47,861
Members of P.C.S. holding, should be encouraged to visit Europe for about six months after appointment, *Muhammad Ali* - - - - 47,861
Members of P.C.S. holding, should have social position as much equal to I.C.S. members as possible, *Khushalpal Singh* - - - 43,023
Number of Indians holding at present, *Clay* - 47,072
Number of, *Burn*, 44,644, p. 200–1; *Riza Ali*, 45,268.
PAY:
some Distinction from I.C.S. should be made, but not so great as at present, *Natthi Mal* 46,677, 46,689
Equality with I.C.S.:
Advocated, *Marris*, 43,897; *Abdul Majid*, 44,531, 44,536, 44,636–8; *Burkitt*, 45,900, 45,910; *Saiyid Nabi-ullah*, 46,781, 46,792, 46,847–9; *Sri Ram*, 45,602, 45,613, 45,655–6, 45,692–4, 45,718–20; *Moti Lal Nehru*, 46,483, 46,492; *Muhammad Ali*, 47,859.
not Advocated, and no discontent anticipated, *Baillie* 42,142–3, 42,197–9, 42,424, 42,426, 42,428, 42,449–50
Two-thirds rule:
Abolition advocated if schemes *re* listed posts and direct recruitment to P.C.S. adopted, *Burn* 44,653, 44,902–5
Approved, *Baillie*, 42,103; *Yusuf Ali*, 42,667, 42,942, 42,947; *Khushalpal Singh*, 43,052; *Malaviya*, 43,186–7; *Sitla Prasad Bajpai*, 44,341; *Shahid Husain*, 45,446, 45,458; *Sheo Prasad*, 46,231; *Piggott*, 47,588.

Listed Posts—*continued.*
PAY—*continued.*
Two-thirds rule—*continued.*
not Approved, and salaries should be equal to those in I.C.S. in lower grades and three-fourths in higher grades, and reasons for, *Sundar Lal* - - 43,432, 43,445, 43,626–9
Three-quarters advocated, instead, *Khushalpal Singh*, 43,042; *Marris*, 43,897, 43,947; *Burn*, 44,653, 44,660, 45,903 5, 44,910; *Moti Lal Nehru*, 46,483, 46,492.
PENSIONS:
Increase advocated, and reasons, *Baillie*, 42,200 3; *Khushalpal Singh*, 43,052.
Increased maximum suggested. *Sitla Prasad Bajpai*, 44,352; *Sheo Prasad*, 46,240, 46,388 92; *Chaudhri Maharaj Singh*, 48,149, 48,181 2.
Present system approved, and details, *Marris*, 43,920, 43,959; *Burn*, 44,656.
Special rules separate from those in P.C.S. advocated for, *Muhammad Ali* - - 47,874
Promotion to I.C.S. advocated instead of, *Sundar Lal*, 43,493, 43,625; *Holland*, 45,105, 45,153–4, 45,187; *Burkitt*, 45,866, 45,900, 45,910, 45,985–6,005; *Moti Lal Nehru*, 46,528–30.
Prospects in I.C.S. less attractive owing to, *Ledyard* 42,479 (3)
Scheme, period before operation of possible, particulars *re*. *Baillie* - - 42,191–5, 42,321–5
Scheme for increase of proportion of, *Burn* 44,639 (9), (12), 44,669–76, 44,697–703, 44,765–76, 44,783–96, 44,858–74, 45,018–9, 45,020–1
Scheme for recruitment of Indians in India would involve practically the abrogation of present system of, but power to recruit to should be retained, *Lindsay* - - 48,271, 48,299–303, 48,439–50
no Scope for alterations, but improvement of prospects for P.C.S. would be welcome if men efficient enough, *Marris* - - - - - - 43,847
Superior posts, extension in listing of, regarded with apprehension, and interests of I.C.S. officers endangered by, *Clay* - - - - p. 464
System approved, *Baillie*, 42,128; *Khushalpal Singh*, 43,009, 43,026; *Malaviya*, 43,177; *Sundar Lal*, 43,400, 43,410, 43,413, 43,428, 43,488–9; *Marris*, 43,828, 43,939; *Sri Ram*, 45,583; *Sheo Prasad*, 46,199, 46,221, 46,342; *Natthi Mal*, 46,647, 46,661; *Saiyid Nabi-ullah*, 46,766; *Piggott*, 47,579; *Muhammad Ali*, 47,824.
System not approved, *Shahid Husain*, 45,428; *Campbell*, 47,356, 47,378–9, 47,383–5, 47,388–9, 47,474, 47,482–3; *Muhammad Ali*, 47,838.
System not so good as separate examination because men obtained under, so much older, *Piggott* 47,503, 47,518, 47,743
System not objected to, relatively, *Holland* 45,104, 45,187
System not satisfactory at present, reasons, and improvements suggested, *Burn* - - - 44,639
Training in P.C.S. previous to entering, advocated, *Baillie* - - - - - - - - 42,155

Lucknow, law schools at, *Yusuf Ali* - - - 42,960

M.

Macaulay, Lord, principles laid down by Committee of 1854:
Approved, *Baillie*, 42,060, 42,077, 42,223; *Yusuf Ali*, 42,619, 42,635; *Marris*, 43,836, 43,857; *Burn*, 44,641; *Burkitt*, 45,877; *Clay*, 47,068, 47,083; *Piggott*, 47,513, 47,533; *Muhammad Ali*, 47,830.
Approved with reduced age-limit, *Burkitt*, 45,870; *Clay*, 47,083.
not Approved, *Malaviya* 43,172, 43,215–6, 43,284–7

Madras pay and grading most favourable in Service, and equalisation for all Provinces recommended, *Yusuf Ali* - - - - - - - 42,660–1

Magistrates:
ASSISTANT:
Evidence often heard in vernacular by, *Burn* 44,647
Rs. 500 advocated for initial pay, *Marris* - 43,885
should be Sent into camp as soon as possible, and reasons, *Piggott* - - - - - 47,537
Training of junior civilians in posts of, for Judicial Branch advocated, *Piggott* - 47,506
Twenty-four years of age should be maximum for starting work as, *Piggott* - - - 47,511
Work as, enables junior Civilians to come into direct contact with people, and value of experience, *Piggott* 47,625, 47,688, 47,718, 47,723-4
Work, particulars, and less case work and more executive work advocated for, *Yusuf Ali* 42,658
CITY, LUCKNOW:
European, required for, and reason, *Clay* - 47,072
Pay, *Burn* - - - - - - p. 201, 202
DEPUTY:
Better judges would be made by than by Munsifs, and suggestions, *Campbell* - - 47,487–8
Good men among and some entitled to sessions judgeships, *Shahid Husain* - - - 45,557–9
Importance of position and work of, with regard to masses and tenant classes, and particulars, *Sheo Prasad* - - - - - - 46,224
Increase of, advocated, and reason, *Piggott* 47,560
Influence of Sessions Judges and District Magistrates upon, *Marris* - - 43,883, 44,263–9
Revenue work should be entrusted to a few, and remainder should try civil and criminal cases, *U.P. Congress Committee* - - - 43,190
Senior, should be invested with powers of Assistant Sessions Judges in most districts, and reason, *Piggott* - - - - - - - - 47,560
DISTRICT:
Amalgamation of 2nd grade with Deputy Commissioners 2nd grade advocated, *Burn* - 44,650
(*see also* Collector and District Magistrate.)
European, considerable number of, would always be required for certain districts containing European communities, *Clay* - - - - - - 47,072
FIRST CLASS:
Difficulty of position with regard to District Magistrate and Sessions Judge, and particulars *re*, *Piggott* - - - - - 47,560, 47,675 6
not Eligible for inferior listed posts after appointment as, for a considerable number of years, *Clay* - - - - - - - - 47,201–2
Overworked and disadvantages of, in trying cases, and remedy suggested, *Piggott* 47,560, 47,733 4
HONORARY:
Decisions come up for appeal before District Magistrates and advantage of, *Piggott* - 47,641
District Judge could supervise, as well as District Magistrate, *Sundar Lal* - - - - 43,675–7
some with First-class powers, but litigants do not care to have cases tried by, as a rule, and reason, *Yusuf Ali* - - - - - - 42,722–4
Functions and powers of, particulars, *Khushalpal Singh*, 43,076 81; *Sundar Lal*, 43,675 7; *Marris*, 44,095–100; *Chaudhri Maharaj Singh*, 48,186 8.
Increase in number of, but doubtful if any real relief in criminal work, and nature of cases usually tried by, *Yusuf Ali* - - - 42,721
quasi-Judicial character of, work of, *Saiyid Nabiullah* - - - - - - - 46,907 8
JOINT:
European, required for certain districts, reason and list, *Clay* - - - - - - 47,072
Evidence often heard in vernacular by, *Burn* 44,647
Executive experience of no value to, and particulars, *Moti Lal Nehru* - - - 46,554–9
First grade:
Merged in P.C.S., pay really due to, Rs. 640, but pay given only Rs. 600, particulars, *Clay* 47,075
Pay and number, *Burn* - - - p. 201, 202
Pay, Rs. 1,000 advocated, *Clay* - 47,100
Functions, particulars *re*, *Burn*, 44,639; *Sheo Prasad*, 46,409.

Magistrates—*continued.*
JOINT—*continued.*
Grades and number and percentage of appointments, *Burn* - - - - - - p. 202
Instruction of junior Civilians under, suggested, *Marris* - - - 43,866, 44,001–3, 44,045–7
should be Invested with powers of Assistant Sessions Judges in most districts, *Piggott* 47,560
weak Judges made by, under present system, and reason, *Abdul Majid* - - - - 44,504
Listing of posts as, advocated and suggestion *re* promotion, *Sitla Prasad Bajpai* - 44,411–8
Merged in P.C.S., dissatisfaction *re*, and reasons, *Burn*, 44,792; *Sheo Prasad*, 46,222; *Clay*, 47,075.
Number of listed posts as, *Clay* - - 47,194–5
Pay:
Rate of, and grading, list of posts for years 1863, 1870, 1880, 1890, 1900, 1912, *Burn* p. 203
Rs. 800 advocated for initial, *Marris* - 43,885
Post of settlement officer held by, owing to bad promotion, *Baillie* - - - - 42,278–81
no Powers in excess of 1st-class Magistrate, *Chaudhri Maharaj Singh* - - - 48,177
Practical test in vernacular should be made previous to appointment as, *Marris* - - 43,868
Reversion of senior officers to, reason and disadvantages, *Clay* - - - - - p. 463
Second grade:
Increase of number, *Burn* - - - 44,649
Pay:
really Due to, Rs. 448, but pay actually received, Rs. 400, *Clay* - - - 47,075
Number and, *Burn* - - - p. 201, 202
Rs. 800 advocated, *Clay* - - - 47,100
Separate grade advocated for, and scheme, *Sheo Prasad*, 46,222, 46,360–2, 46,439; *Chaudhri Maharaj Singh*, 48,144–5, 48,174–6, 48,205, 48,224–6; 48,251–6.
Statement D.D. corrected, *Burn* - - 44,649
Training of junior Civilians in posts of, for Judicial Branch advocated, *Piggott* - 47,566
Vacancy between first and second grades of assistant collector for promotion to, advocated, *Marris* - - - - - - - - 44,014
Work, particulars *re*, and suggestions, *Yusuf Ali*, 42,658; *Burkitt*, 46,059–70; *Piggott*, 47,625, 47,688, 47,718, 47,723 4.
Knowledge of law usually regarded as adequate, *Clay* 47,093
not Ministerial officers, *Baillie* - - 42,418–9
Officiating, pay, inadequate, and should be increased, *Clay* - - - - - - 47,261–4, 47,308–9
sometimes Prejudiced owing to executive training, *Malaviya* - - - - - - - - 43,261
SUBORDINATE:
District Superintendent thought to have a hand in decision of cases of, *Sri Ram* - - 45,749–52
Functions and powers, *U.P. Congress Committee* 43,190
not Influenced by District Magistrates, but recognition of good work expected, *Baillie* 42,444–8
Position of, not subordinate to executive head of district in judicial capacities, *Marris* 44,080–8, 44,229 3
Supervision by Collectors (*see under* Collectors and District Magistrates).
Training of junior Civilians under selected, at one centre advocated, and scheme, *Clay* - 47,089, 47,181–5
should be Under immediate control of Sessions Judges, *Sitla Prasad Bajpai* - - - 44,313

Mahrattas, administrative capacity, and reservation of posts for, advocated, and scheme, *Muhammad Ali* 47,819, 48,016, 48,038, 48,082 5

Majid, Nawab Muhammad Abdul, evidence of 44,493 638

Mal, Natthi, Rai Bahadur, evidence of - 46,632 744

Malaviya, Pandit Madan Mohan, B.A., LL.B., evidence of - - - - - - - 43,157 43,392

Marris, William Sinclair, I.C.S., evidence of 43,817–44,282

Medical Leave (*see under* Leave).

Military Officers:
Experience of, and particulars *re*, *Baillie*, 42,067; *Marris*, 43,843.
Mixed commissions should be composed of Indian Civil Servants and military civilians only, *Marris* 43,845
under Probation for Political Department, particulars *re* and advantage of, *Burn* - - 44,643
RECRUITMENT FOR POSTS IN I.C.S.:
not Advocated, *Baillie*, 42,068; *Yusuf Ali*, 42,627; *Khushalpal Singh*, 43,021; *Malaviya*, 43,176; *U.S. Congress Committee*, 43,199; *Sundar Lal*, 43,412; *Marris*, 43,844; *Abdul Majid*, 44,514; *Burn*, 44,643; *Riza Ali*, 45,268; *Shahid Husain*, 45,426; *Sri Ram*, 45,582; *Sheo Prasad*, 46,200; *Moti Lal Nehru*, 46,462; *Natthi Mal*, 46,659; *Saiyid Nabi-ullah*, 46,764; *Piggott*, 47,521; *Muhammad Ali*, 47,836.
Special training, not advocated, *Ledgard* - 42,601
System of recruitment, not approved for other services, *Yusuf Ali* - - - - - 42,628

Ministerial Service, promotion from, to P.C.S. (*see under* P.C.S.).

Moti Lal Nehru, Pandit, evidence of - 46,441–637

Muhammad Ali, evidence of - - 47,815–48,137

Muhammadans:
Administrative capacity, particulars *re*, *Baillie*, 42,265; *Muhammad Ali*, 47,219.
All-India Moslem League (*see that title*).
Chances in competitive examination, simultaneous examination, and university careers, particulars, *Baillie*, 42,265; *Sundar Lal*, 43,572–5, 43,724–8.
making Efforts to obtain a University of their own, *Saiyid Nabi-ullah* - - - - 46,959–60
Employment of larger number of Indians in I.C.S. desired by, *Shahid Husain* - - - 45,470
Exclusion from administration under present system, and improvement necessary, *Muhammad Ali* 47,819, 47,962–5, 48,014
Executive Branch preferred to Judicial Branch by, *Saiyid Nabi-ullah* - - - - - 47,017–9
Fewer casualties among, than among Hindus, and reason, *Piggott* - - - - - - 47,789–92
Graduates, particulars *re* degrees, &c., *Riza Ali* 45,333–7
Process of regeneration began later than Hindus, *Chaudhri Maharaj Singh* - - - - 48,141
Progress in education made by, during recent years, particulars *re*, *Malaviya*, 43,161, 43,218; *U.P. Congress Committee*, 43,189; *Sundar Lal*, 43,572–5, 43,724–8; *Riza Ali*, 45,275, 45,405; *Muhammad Ali*, 47,819, 48,028–37; *Chaudhri Maharaj Singh*, 48,141, 48,167–9.
Relations with Hindus, *Riza Ali*, 45,264; *Moti Lal Nehru*, 46,487; *Muhammad Ali*, 47,819, 47,876.
REPRESENTATION OF, IN PUBLIC SERVICES:
Due representation in I.C.S. should be given to, *Saiyid Nabi-ullah*, 46,799–800, 46,814, 46,850, 46,866, 46,869, 46,890–901, 46,951–3, 46,955–6, 46,979, 46,982, 46,994–5; *Clay*, 47,058.
not Duly represented in Judicial Provincial Service, *Riza Ali*, 45,264, 45,275, 45,304, 45,320–4, 45,307–10; *Saiyid Nabi-ullah*, 46,786, 46,844–6, 46,902–6, 47,014–6.
Equal representation with Hindus advocated, and reasons, *Abdul Majid* 44,534, 44,568–71, 44,624
Number in I.C.S. at present, disproportionate, *Saiyid Nabi-ullah* - - - - 46,890–4
Proportion of appointments to be given to Hindus and, question of, and table of percentage, *Burn* 44,657, p. 207–8
Representation in Executive Branch, P.C.S., comparison with Hindus, *Sheo Prasad*, 46,210; *Chaudhri Maharaj Singh*, 48,141, 48,213–5.
Sufficient share of State patronage received by, *Chaudhri Maharaj Singh* - - 48,167–9
Reservation of posts for, advocated, and schemes, *Riza Ali*, 45,263, 45,287–90, 45,315–9, 45,369–70; *Muhammad Ali*, 47,219, 48,082–5.
Separate examinations, effect of, on, *Riza Ali*, 45,313–4; *Piggott*, 47,518, 47,635–6.

Muhammadans—*continued.*
Simultaneous examinations advocated by many, *Malaviya*, 43,161, 43,218; *U.P. Congress Committee*, 43,189; *Riza Ali*, 45,313; *Shahid Husain*, 45,470, 45,529–34; *Saiyid Nabi-ullah*, 46,799–802.
Simultaneous examinations would retard progress of, *Riza Ali* - - - - - - 45,263
System of nomination and selection in connection with simultaneous examination advocated by many, particulars *re*, *Saiyid Nabi-ullah* - 46,799–802
Table of proportion of posts held by, in Judicial Branch, P.C.S., and decrease of, *Riza Ali* 45,275, 45,305
glorious Traditions of, *Malaviya* - - - 43,161

Mukhtiars, particulars *re*, *Burkitt* - - 46,047–61

Municipal Government, development of, *Yusuf Ali* 42,677

Munsifs:
AGE OF APPOINTMENT:
25–30 at present, *Burn* - - - 45,009–10
Permanent, 29–30, at present, *Burkitt* - 46,166
Reduction advocated, and suggestions, *Burkitt*, 46,166–70; *Lindsay*, 48,428–35.
Appointment, particulars *re*, required, *Burn* - p. 216, p. 217, 45,006–7
Barristers and pleaders employed as, *Yusuf Ali* 42,917
Better suited for judgeship than members of Indian Bar, *Yusuf Ali* - - - - - 42,864
Best man at Bar would not care to become, and only initial salary of Rs. 500 would attract, *Riza Ali* 45,264, 45,389–91, 45,393, 45,395–6
Confidence felt in, by people, *Khushalpal Singh* 43,130
Criminal cases should be tried by, suggestion, *U.P. Congress Committee* - - - - - 43,190
"Failures of the Bar elevated to the Bench," question of, *Marris*, 43,927, 44,024–7, 44,248–52; *Burn*, 45,047–9; *Sri Ram*, 45,617, 45,753–5.
FIRST GRADE:
Appointment as Assistant Sessions Judges over head of Senior Deputy Collectors not approved, and reason, *Yusuf Ali* - - - - 42,999
Honorary appointment of land-holders as, advocated, *Khushalpal Singh* - - - - - 43,081
Increase in number recently made owing to previous overwork amongst, *Khushalpal Singh* - 43,084
Judgments as court of appeal on decision of experienced men holding posts as, passed by junior Civilians, and disadvantages, *Sri Ram* 45,595, 45,617
Officiating, pay inadequate, reasons, and initial pay of Rs. 200 advocated, *Riza Ali* - 45,276, 45,392
PAY:
Differentiation from Deputy Collectors, and reasons for, *Burn* - - 45,027–36, 45,045–9
Equal to that of Deputy Collectors, advocated, and reason, *Sitla Prasad Bajpai*, 44,337; *Saiyid Nabi-ullah*, 46,791, 46,794.
Increase advocated, *Marris*, 44,257–9; *Sitla Prasad Bajpai*, 44,337, 44,339; *Sri Ram*, 45,612, 45,683–4, 45,821, 45,838–40; *Piggott*, 47,582.
Initial:
Rs. 175, and increase to Rs. 200 attempted, *Marris* - - - - - - 43,943
too Low, and increase advocated, *Khushalpal Singh*, 43,155; *Malaviya*, 43,371; *Sundar Lal*, 43,444, 43,786; *Sitla Prasad Bajpai*, 44,337, 44,339; *Riza Ali*, 45,276, 45,392; *Sri Ram*, 45,612; *Burkitt*, 46,171; *Moti Lal Nehru*, 46,491; *Saiyid Nabi-ullah*, 46,791, 46,794; *Piggott*, 47,582; *Lindsay*, 48,466.
Rates of, and grading, suggestions *re*, *Sitla Prasad Bajpai* - - - - - 44,330
Rates of, and number of posts, statements for 1890, 1900, and 1912, *Sitla Prasad Bajpai*, 44,336; *Burn*, p. 217–8.
Small, and leave cannot be taken owing to, *Lindsay* - - - - - - - 48,274

Munsifs—*continued.*
PROBATIONARY:
Appointment after two years at Bar instead of three, advocated, *Piggott* - 47,564, 47,646–9, 47,735–7
Appointment at age of 25 might be possible, and particulars, *Lindsay* - - - 48,429–35
Grade of, recently introduced, to supply necessary leave reserve, *Burn*, 44,657, 44,659, p. 209–10; *Lindsay*, 48,326.
Pay:
Better than probationary Deputy Collector, *Sheo Prasad* - - - - - 46,226
Initial (*see* Initial Pay *above*).
Proposal *re* grade for, and salary, *Burn* 45,035–6
Three, instead of two, advocated, *Piggott* 47,564, 47,572, 47,759–60
PROMOTION:
Good men not attracted from Bar under present system, *Sitla Prasad Bajpai* - - - 44,330
Periods of, particulars, *Burn* - 44,659, p. 210
System unsatisfactory, and suggestions, *Sitla Prasad Bajpai* - - - 44,337, 44,339
to Subordinate Judgeship, by selection, and disappointment of candidates passed over, *Piggott* 47,576
Qualifications required, *Sundar Lal*, 43,444; *Sitla Prasad Bajpai*, 44,320; *Burn*, p. 216–7; *Sheo Prasad*, 46,208.
RECRUITMENT:
from the Bar direct without probation, advocated, *Sri Ram* - - 45,617, 45,753–5, 45,258
Enrolment earlier, and appointment after three years instead of five as at present, advocated, *Marris* - - - - - - - 44,249–52
LL.B.'s nominated by Judge, *Saiyid Nabi-ullah* 47,036
Particulars *re*, in Agra and in Oudh, *Sitla Prasad Bajpai* - - - - - - - - 44,318
Rules, *Burn* - - p. 216–7, 44,657, 45,008–12
System approved, *Sitla Prasad Bajpai* - 44,320
System not approved, and schemes, *Saiyid Nabi-ullah*, 46,786, 46,844, 46,904–6, 47,020–2; *Piggott*, 47,564, 47,644–9, 47,735–7, 47,740–2.
Three years' practice at the Bar before appointment:
Approved, and reasons, *Khushalpal Singh*, 43,151; *Burn*, 44,657, 44,759.
Approved, with exceptions in cases of very brilliant men, *Khushalpal Singh* - 43,153–4
of Little practical use, and removal of restriction not objected to, *Lindsay* - 48,346, 48,348–9, 48,435
Necessary, *Sundar Lal*, 43,444; *Sheo Prasad*, 46,208.
Reduction to 18 months advocated, *Riza Ali* 45,264
do not Require such a large establishment as Deputy Collectors, and arrangements, *Sri Ram* 45,683–4; 45,807–14, 45,826–37
Suits between landlords and tenants, &c. might be transferred to, *Sheo Prasad* - - - 46,220
Small pension advocated for, if finally passed over in selection for subordinate judgeships, *Piggott* 47,596
Training, suggestion *re*, *Piggott* - 47,569, 47,740
Two extra posts created in 1884 and another in 1886, but no real improvement by, *Sitla Prasad Bajpai* - - - - - - - - 44,336
VACATION:
Same as subordinate judges, *Burkitt* - 46,150
in Hot months, should be given to occasionally, and difficulty *re*, *Lindsay* - 48,274, 48,319–24

N.

Nabi-ullah, Saiyid, evidence of - 46,745–47,053

Naib-Tahsildars (*see* Tahsildars, Naib).

Natives of India (*see* Indians).

Native States' subjects, admission to I.C.S. (*see under* Natives of India, Definition, *under* Indians).

Natthi Mal, Rai Bahadur, evidence of - 46,638 744

Nazul Officer, Lucknow, post held by Deputy Collector, *Sri Ram* - - - - - - - - 45,617

Nehru, Pandit Moti Lal, evidence of - 46,441–637

Nomination (*see under* Recruitment).

Northern India Salt Revenue Department:
Reservation of posts for Anglo-Indians in, *Muhammad Ali* - - - - - - - - - 47,819
Superintendent, travelling allowance drawn by, *Sheo Prasad* - - - - - - - - 46,244

O.

Open Competition in England (*see* Indian Civil Service Examination).

Opium Agents:
Assistant, travelling allowance drawn by, *Sheo Prasad* - - - - - - - - 46,244
Pay, *Burn* - - - - - - - - p. 201, 202

Opium Department, reservation of posts for Anglo-Indians in, *Muhammad Ali* - - - - 47,819

Opium Officers, post of deputy collector refused by, and reasons, *Baillie* - - - - - - 42,456–8

Oriental Languages:
Inclusion in every University curriculum, advocated, *Riza Ali* - - - - - - - - 45,341–2
Instruction in, not given better in England than in India, *Muhammad Ali* - - - - 47,849
Lower and Higher Standard and Proficiency test in Eastern languages, Indian examiners should be appointed, *Muhammad Ali* - - - 47,849
Preliminary instruction in England advocated, *Baillie*, 42,082; *Burn*, 44,645; *Burkitt*, 45,883; *Piggott*, 47,539.
RULES FOR ENCOURAGEMENT OF STUDY:
Book proficiency no good, and alteration in, would not improve matter, *Yusuf Ali* 42,646, 42,852–3
no Change advocated and efficacy in attracting men with no particular inclination for, doubtful, *Clay* - - - - - - - - 47,092
Particulars *re*, and suggestions, *Burn* 44,645, 44,647, 44,709
SCHEME FOR INSTRUCTION IN INDIA:
Advocated, *Yusuf Ali* 42,641, 42,803–6, 42,968–71
not Advocated, *Burkitt*, 45,883; *Clay*, 47,088.
Study of, by members of I.C.S., particulars, and vernaculars of more practical use, *Marris* - *43,869* (*see also* Vernaculars *and under* Syllabus *under* Indian Civil Service Examination.)

Oudh Judicial Service (*see under* Judicial Branch, P.C.S.).

Overwork (*see* Insufficiency of Staff).

P.

Parsis, some high positions held by, with European business firms at Cawnpore, *Ledgard* - - 42,549

Partition Officer, one in all districts should be added to cadre of P.C.S., *Chaudhri Maharaj Singh* - 48,143

Pay, I.C.S.:
ACTING ALLOWANCES:
Abolition would necessitate revision of salaries, *Burn* - - - - - - - - 44,650
Continuation advocated, *Baillie* - - 42,096
should Depend on character of work done by officiating officer, *Muhammad Ali* - - 47,857
no Inconvenience caused by, and particulars *re* system, *Burn* - - - - - - - 44,650
Special should be given in certain heavy districts, *Lindsay* - - - - - - - - 48,274
Suitable charge allowance should be given, *Clay* p. 464
System satisfactory, *Marris* - - - 43,890
Compensation allowances, advocated as remedy for block in promotion, *Burn* - 44,649–50, 44,652
Compensatory allowances for higher cost of living in certain towns and districts, advocated, *Clay*, 47,105; *Campbell*, 47,399; *Lindsay*, 48,274.
Decrease in value of emoluments and evils resulting from, *Yusuf Ali*, 42,677; *Campbell*, 47,356–7, 47,445, 47,457.
Differentiation from P.C.S. inevitable, *Muhammad Ali* - - - - - - - - 48,011–2

Pay, I.C.S.—*continued.*
not Equal to chances of remuneration in commercial calling, and particulars, *Ledgard* 42,479 (3) (*a*). 42,501–17

EUROPEAN OFFICERS :
Emoluments of, a serious burden on Indian revenues and details, *U.P. Congress Committee* 43,189
should Receive 25 per cent. more than "Natives of India," and reasons, *Malaviya* - 43,187 43,344–6, 43,360–9, 43,392

EXCHANGE COMPENSATION ALLOWANCE :
Abolition with compensation by increased salaries for all members of I.C.S. advocated, *Baillie*, 42,094–5 ; *Yusuf Ali*, 42,662–3 : *Sundar Lal*, 43,430–1 ; *Burn*, 44,650 ; *Shahid Husain*, 45,444–5 ; *Moti Lal Nehru*, 46,481–2 ; *Natthi Mal*, 46,675–6.
Abolition for future entrants advocated, but vested interests of present members should not be interfered with, *Malaviya*, 43,184 ; *U.P. Congress Committee*, 43,204 ; *Marris*, 43,888–9 ; *Sri Ram*, 45,600–1 ; *Saiyid Nabi-ullah*, 46,780 ; *Muhammad Ali*, 47,858.
Abolition not advocated, but reduction to 5 per cent. not objected to if time scale introduced, *Clay* - - - - - 47,102, 47,105
Indians do not require, as a rule, but some have special claims and should obtain, *Clay* 47,102, 47,341–3
not Necessary, *Abdul Majid* - - - 44,530
Retention advocated, *Khushalpal Singh* - 43,040
Inadequate and increase advocated, *Ledgard*, 42,479 ; *Burn*, 44,650, 44,893–6, 44,898, 44,969 ; *Holland*, 45,107 ; *Shahid Husain*, 45,457, 45,496–500 ; *Sri Ram*, 45,612 ; *Burkitt*, 45,895, 46,122–7 ; *Moti Lal Nehru*, 46,491, 46,526–30 ; *Clay*, 47,107, 47,281, 47,308 ; *Campbell*, 47,356, 47,458–9, p. 462, 464–5 ; *Lindsay*, 48,274.
Increase not advocated, and present pay adequate, *Khushalpal Singh* - - - 43,041, 43,073
Increase not advocated, and scheme for slight reductions, *Malaviya* 43,185, 43,187, 43,225–34, 43,238–41, 43,288, 43,329–30, 43,369, 43,392.
Indian recruits should get two-thirds of pay of English recruits, *Holland* - - 45,107, 45,236, 45,238–40, 45,259

INITIAL :
Inadequate, and improvement advocated. *Clay*, 47,100, 47,135–44, 47,161–76, 47,257–64, 47,308–11 ; *Burn*, 44,650, 44,894–6, 44,969.
Listed posts (*see that title*).

RATES OF, AND GRADING :
Calculation by month and not by year advocated, and reason, *Clay* - - - - - 47,100
Dissatisfaction chiefly among lower and middle posts and particulars, *Marris*, 43,886, 44,131–2 ; *Burn*, 44,650, 44,893–6, 44,969 ; *Burkitt*, 45,896, 46,125–7 ; *Campbell*, 47,760–2 ; *Lindsay*, 48,274, 48,404.
Dissatisfaction owing to inequality, *Yusuf Ali* 42,660
Dissatisfaction *re*, but increase not advocated. *Burn* 44,660
no Information available regarding number of posts and, in year 1860, *Burn* - - - 44,650
List of number of posts and, for years 1863, 1870, 1880, 1890, 1900, 1912, *Burn* - - - p. 203
Regrading suggested, and creation of larger number of appointments on higher grades, *Baillie* 42,180
Revision of present scale of salary required, *Shahid Husain* - - - 45,457, 45,496–500, 45,544
Suitable on the whole, *Burn* - - - 44,650
not Suitable, and suggestions for increase, *Marris* 43,885
Recruits from P.C.S. should have two-thirds of pay drawn by men recruited in England, if simultaneous examination introduced, *Holland* 45,107, 45,236, 45,238–40, 45,259
Reduction by one-third if simultaneous examination granted, and scheme, *U.P. Congress Committee* 43,205

Pay, I.C.S.—*continued.*
Statutory Civilians (*see that title*).

TIME-SCALE :
Advocated, and schemes, *Baillie*, 42,097–9, 42,100–1, 42,177–8, 42,348–9, 42,467 ; *Clay*, 47,103, 47,105–6, 47,108, 47,147–8, 47,293, 47,325, 47,327 ; *Campbell*, 47,357, 47,394–400, 47,492–3 ; *Muhammad Ali*, 47,857 ; *Lindsay*, 48,274, 48,404, p. 464.
not Advocated, *Yusuf Ali*, 42,665, 42,666, 42,711–3 ; 42,765–8, 42,807–13 ; *Marris*, 43,892, 43,894–5, 44,006, 44,010–6, 44,055 ; *Burn*, 44,650, 44,652, 44,741, 44,745–7, 44,799–806, 44,985–6.
for Each main class of appointment :
not Advocated, *Marris*, 43,893, 43,895, 44,006, 44,210 ; *Sitla Prasad Bajpai*, 44,340 ; *Burn*, 44,743, 44,985–6 ; *Clay*, 47,104, 47,150, 47,154–7, 47,326 ; *Piggott*, 47,387.
Exclusion of special posts from not advocated, *Campbell* - - - - - 47,398–9
not Objected to, but difficulties *re*, and suggestions, *Burkitt* - - - 45,898, 45,960, 45,961–5
Officiating allowances should be given under, *Clay* 47,105
Present officers of over 15 years' service should have option of refusing, *Clay* - - - 47,105
would Prevent excessive recruitment and preserve superior posts system, particulars, *Clay* 47,106
Promotion by selection impracticable under, *Baillie* 42,100
Provision of number of prize posts outside, and stipulation that increment should be earned would prevent reduction in stimulus to work, *Clay* - - 47,103, 47,105, 47,150–1, 47,153
Recruitment of junior Civilians, no difficulty *re* with introduction of, *Baillie* - - - 42,102
Recruitment of junior Civilians under, method suggested, *Burkitt* - - - - - 45,899
Scheme for, on lines of Police Department, and modifications required owing to possible block in promotion, *Clay* - 47,105, 47,149–54, 41,325, 47,327–9

TRAVELLING ALLOWANCE :
Inadequate and increase advocated, *Baillie*, 42,442 ; 43,898, 44,021, 44,253 ; *Burn*, 44,826–9, *Marris*, 45,050 ; *Piggott*, 47,796–7 ; *Lindsay*, 48,467–8, p. 462.
Particulars *re* amount, *Marris* - - 44,048–50
Uniformity in all provinces, advocated, *Yusuf Ali*, 42,661 ; *Marris*, 43,887 ; *Burkitt*, 45,897 ; *Clay*, 47,101.
(*see also under* Executive Branch, I.C.S., *and* Judicial Branch, I.C.S.)

Pay, P.C.S. :
ADJUSTMENT ON PRINCIPLE RECOMMENDED BY PUBLIC SERVICE COMMISSION OF 1886–7 :
Principle accepted, *Sundar Lal*, 43,443 ; *Marris*, 43,942, *Burn*, 44,660 ; *Sitla Prasad Bajpai*, 44,335 ; *Moti Lal Nehru*, 46,490 ; *Natthi Mal*, 46,687 ; *Piggott*, 47,582.
Principle not accepted, *Sri Ram* - - 45,611
Principle approved, but desired qualifications should be very high and suggestions, *Sheo Prasad* 46,224
Principle approved, but has not been followed, and particulars, *Muhammad Ali* - - 47,871
Alteration in scale of, preferred to grant of officiating promotion, *Burn* - - - - 45,041–4
Contingent expenses should be paid by Government, *Khushalpal Singh* - - - - - 43,053
Inadequate and increase advocated, *Baillie*, 42,180 ; *Yusuf Ali*, 42,942–3, 42,995 ; *Khushalpal Singh*, 43,050–1 ; *U.P. Congress Committee*, 43,191 ; *Marris*, 44,255–60 ; *Abdul Majid*, 44,535, 44,572–3, 44,633–5 ; *Sri Ram*, 45,611 ; *Sheo Prasad*, 46,226 ; *Piggott*, 47,798–9 ; *Muhammad Ali*, 47,863, 47,868, 47,872 ; *Chaudhri Maharaj Singh*, 48,145.
Initial, increase advocated, *Baillie*, 42,423 ; *Malaviya*, 43,370, 43,372, 43,391 ; *Muhammad Ali*, 47,872.
RATES OF, AND GRADING :
Adequate for recruits from outside, *Natthi Mal* 46,688
Comparison with other services, *Sheo Prasad* 46,226

Pay, P.C.S.—*continued.*
RATES OF, AND GRADING—*continued.*
Higher posts, increase advocated, *U.P. Congress Committee* - 43,191
Inadequate in Executive Branch, and suggestions, *Marris* - 43,943, 44,255 9
Number of posts and, table *re*, *Chaudhri Maharaj Singh* - 48,145
Reorganisation, details *re* last, *Sundar Lal*, 43,444, 43,796-7; *Sitla Prasad Bajpai*, 44,336.
Revision required, *U.P. Congress Committee* 43,191
Schemes tried for reorganisation of, *Chaudhri Maharaj Singh* - 48,145
Scheme, *Khushalpal Singh* - 43,047
Recruits from Subordinate Service should not have initial pay less than Rs. 250, *Natthi Mal* 46,688. 46,692, 46,708-9
TIME-SCALE:
Advocated, *Sri Ram*, 45,617, 45,842; *Sheo Prasad*, 46,219, 46,227.
Advocated for certain grades, *Sitla Prasad*, 44,339; *Campbell*, 47,357; *Muhammad Ali*, 47,872.
not Advocated, and reasons, *Baillie*, 42,129, 42,181-7, 42,374, 42,376; *Marris*, 43,945-6, 44,262; *Burn*, 44,660; *Piggott*, 47,586.
not Objected to and should be restricted to lower grades, *Burkitt* - 45,910
same Scale of pay in both branches, advocated in case of, *Sheo Prasad* - 46,228, 46,275, 46,333-4
for Two or three different groups of appointments would not be objected to, *Baillie* - 42,377
TRAVELLING ALLOWANCE:
Salary exceeding Rs. 100 should be considered first class, *Khushalpal Singh* - 43,053
on Transfer:
Concessions not asked for specially, but would be very welcome, *Sheo Prasad* - 46,395-6
Increase advocated, *Marris*, 44,253-4; *Lindsay*, 48,467-8.
(*see also* Executive Branch, P.C.S., *and* Judicial Branch, P.C.S., *and particular posts.*)

Pensions, I.C.S.:
4 PER CENT. DEDUCTION FROM PAY:
Abolition of system advocated, and reasons, *Lindsay* - 48,274
Accounts for difference between pensions given to P.C.S. officers, *Sri Ram* - 45,673-5, 45,724-30
nearly Half amount given, paid for by individual Civilians, *Campbell* - 47,360, 47,410-1, 47,455-6
not Liked by some members of I.C.S., *Burn* 44,752-3
Scheme for giving full pension of 1,000*l.* or 800*l.* and treating 4 per cent. deduction as a provident fund, approved, *Campbell*, 47,455-6; *Lindsay*, 48,274, 48,315-8, 48,357, 48,359-61.
System generally approved, *Burn*, 44,656, 44,753-4; *Burkitt*, 45,902, 46,164-5; *Clay*, 47,109; *Piggott*, 47,764.
Withdrawal and allocation to another fund not advocated, and reasons, *Burn* - 44,754-7
EQUAL ANNUITIES TO ALL MEMBERS OF I.C.S.:
Generally satisfactory but not fair in certain cases, *Baillie* - 42,110, 42,112, 42,214-7
Regulation according to pay received on retirement, advocated and suggestions, *Lindsay* 48,274, 48,316-7, 48,357
System satisfactory, *Yusuf Ali*, 42,671; *Marris*, 43,911, 43,913.
System not satisfactory, *Campbell*, 47,360, 47,408; *Lindsay*, 48,274.
System unfair, and suggestions for improvement by regulation according to length of service, *Baillie* - 42,414 7
Full amount might have to be reduced if 4 per cent. contribution given as full pay, *Lindsay* 48,318, 48,359-61
Importance attached to, by young Civilians entering service, *Lindsay*, 48,360; *Clay*, 47,238-40, 47,281.
Listed posts (*see that title*).
Non-contributory system varying with amount of salary drawn at retirement, not advocated, *Baillie*, 42,111; *Marris*, 43,912, 43,916; *Burkitt*, 45,903; *Clay*, 47,110.

Pensions, I.C.S.—*continued.*
Offer of proportional, to senior officers desirous of retiring before completion of 25 years' service might help to accelerate promotion, *Burn*, 44,731-3; *Clay*, p. 465.
Proportion paid to English and Indians, *U.P. Congress Committee* - 43,189
Reduced, for inefficient officers, advocated, and suggestions, *Baillie*, 42,115; *Yusuf Ali*, 42,657; *Marris*, 43,917; *Burn*, 44,656; *Burkitt*, 45,894, 45,905, 45,951; *Clay*, 47,113; *Campbell*, 47,360; *Chaudhri Maharaj Singh*, 48,148; *Lindsay*, 48,274.
Regarded as reward for service and not as deferred pay, *Lindsay* - 48,274, 48,355-6
would Rise automatically if scale of salaries increased throughout service, particulars *re*, *Yusuf Ali* - 42,671, 42,748-9
RULES:
Same as those in P.C.S. advocated, *Shahid Husain* 45,460, 45,492-5, 45,554-5
Suitable, *Baillie* - 42,116
Suitable for Government and members of I.C.S. if pay raised to admit of moderate saving, *Marris* - 43,918
Statutory Civilians (*see that title*).
(*see also* Executive Branch, I.C.S., *and* Judicial Branch, I.C.S.)

Pensions, P.C.S.:
Equal to those in I.C.S., not advocated, *Burn* 44,662
MAXIMUM:
Rs. 6,000 per annum, advocated, *Sundar Lal* 43,447
Rs. 7,500 per annum advocated, *Sri Ram* 45,615, 45,671-5, 45,723-30
REDUCED FOR INEFFICIENCY:
Advocated, and suggestions, *Baillie*, 42,130; *Marris*, 43,958; *Sheo Prasad*, 46,239.
not Advocated, *Sitla Prasad Bajpai*, 44,351; *Burn*, 44,662.
Retirement on full, after 25 years' service, not advocated, *Burn* - 44,662
Rules, same as those in I.C.S. advocated, *Shahid Husain* - 45,460, 45,492-5, 45,554-5
System satisfactory, *Marris*, 43,956-7; *Natthi Mal*, 46,691; *Piggott*, 47,595.
System satisfactory, but modifications required in rules respecting, *Sheo Prasad* 46,238, 46,387, 46,431
Uniform pension of Rs. 400 advocated for all officers after 25 years' completed service, particulars, *Muhammad Ali* - 47,874, 48,118-23
(*see also under* Executive Branch, P.C.S.)

Persian, substitution of English as official language hardship to Indians, *Muhammad Ali* - 47,819

Piggott, Theodore Caro, I.C.S., evidence of 47,494-814

Pleaders, particulars *re* functions and work of, *Burkitt*, 46,053-6, 46,108-9, 46,111-2; *Sheo Prasad*, 46,411-5.

Police:
Anglo-Indians not admitted to, *Baillie* - 42,338-9
Department, gradual loss of control of, by I.C.S., and particulars, *Yusuf Ali* - 42,677, 42,719 20
INSPECTOR-GENERAL OF:
Pay, and should be retained on I.C.S. cadre, *Burn* p. 201, 202
Post held since 1911 by member of Indian Police, *Burn* - 44,649, 44,718-20, 44,883-4
Inspectors, promotion to Deputy Collectors (*see under* Collectors, Deputy).
Instruction of probationers entirely different from training of I.C.S. probationers, and reasons, *Burn* 44,645
Promotions, temporary, made not with reference to work done but to vacancies in grades, *Baillie* 42,469-71
Prospects better than in P.C.S., and distinction obviously unfair, *Yusuf Ali* - 42,998
Recruitment to Judicial Branch from, not advocated, and reason, *Piggott* - 47,719-20
Superintendents, Assistant, first-class officers by travelling allowance rules, *Sheo Prasad* - 46,244

Political Department, time-scale, table comparing average pay of I.C.S. officers from 9th to 20th years of service with pay allowed under, *Clay* - p. 466

Postal Life Assurance Fund:
Increase of maximum limit advocated, *Sitla Prasad Bajpai* - 44,354
Increase of maximum not objected to, *Burn* - 44,662
some Members of P.C.S. belonged to, previous to introduction of General Provident Fund, *Sheo Prasad* - 46,242
Number of officers subscribing to, *Burn* - 44,662

Post Offices, Superintendents, first-class officers by travelling allowance rules and amount drawn by, *Yusuf Ali*, 42,998; *Sheo Prasad*, 46,244.

Prasad, Sheo, evidence of - 46,192–440

Probation, I.C.S.:
Abolition, difficulty *re*, *Clay* - 47,221
ALLOWANCES:
100*l.* per annum suggested, *Yusuf Ali* - 42,633
150*l.* a year advocated, and suggestions, *Burkitt*, 45,875; *Campbell*, 47,356; *Lindsay*, 48,272, 48,388–91.
150*l.* for candidates selected in England and 200*l.* for those in India advocated, *Burn* - 44,645
200*l.* a year advocated, *Baillie*, 42,075, 42,220; *Sitla Prasad Bajpai*, 44,305.
200*l.* at the end of each two years' period, advocated, *Marris* - 43,854, 44,069
200*l.* and free passage to India advocated, *Clay* 47,081, 47,167–70
300*l.* for period of two years advocated, *Piggott* 47,530
principle of Approved, *Khushalpal Singh*, 43,028; *U.P. Congress Committee*, 43,200; *Sundar Lal*, 43,418; *Abdul Majid*, 44,519; *Shahid Husain*, 45,433, 45,453; *Sri Ram*, 45,585, 45,607; *Moti Lal Nehru*, 46,468, 46,510; *Natthi Mal*, 46,666; *Saiyid Nabi-ullah*, 46,768, 46,837; *Muhammad Ali*, 47,842.
COURSE OF STUDY:
Accounts:
Advocated, *Piggott* - 47,535
not Advocated, *Baillie*, 42,078; *Burn*, 44,645; *Clay*, 47,085.
should be Optional, *Burkitt* - 45,879
Useful, especially if facilities for instruction in Indian system given by India Office, *Yusuf Ali* 42,637
Census and other reports advocated, *Yusuf Ali* 42,637
Course of 1891 advocated, *Burkitt*, 45,878, 45,887, 46,070; *Moti Lal Nehru*, 46,469; *Campbell*, 47,356; *Piggott*, 47,534, 47,547; *Lindsay*, 48,272.
Course should not be overloaded and much should be left to initiative of individual officers, *Clay* 47,085, 47,251–6
Degrees, acquirement of, advocated, *Ledgard* 42,479 (4) (*a*)
Differentiation between Indians and other natural-born subjects:
Advocated to some extent, *Khushalpal Singh*, 43,029–30; *Muhammad Ali*, 47,844.
not Advocated, *Baillie*, 42,083; *Yusuf Ali*, 42,642; *U.P. Congress Committee*, 43,202; *Marris*, 43,865; *Burn*, 44,645; *Shahid Husain*, 45,442; *Sri Ram*, 45,587; *Moti Lal Nehru*, 46,470; *Piggott*, 47,542; *Lindsay*, 48,272.
no Differentiation in case of not attending a university, advocated, *Marris* - 43,855
no Differentiation should be made between Indians and Anglo-Indians, *Abdul Majid* 44,521
not Necessary, except for study of vernacular of their own provinces, *Sundar Lal* - 43,420
no Objection to, *Abdul Majid* - 44,521
Eastern lore, course for European probationers at Indian university advocated, and scheme, *Muhammad Ali* - 47,843–4, 47,846–7
Economics advocated, *Lindsay* - 48,271
Ethnology:
Advocated, *Lindsay* - 48,272
might be Good, but should not be compulsory, *Clay* - 47,251
Geography, modifications suggested, *Burn* - 44,645
Indian creeds, optional study of history and doctrines of, advocated, *Muhammad Ali* 47,843

Probation, I.C.S.—*continued.*
COURSE OF STUDY—*continued.*
Indian Geography:
Advocated, *Baillie*, 42,078, 42,220; *Yusuf Ali*, 42,637; *Burkitt*, 45,879; *Piggott*, 47,535.
not Advocated, *Clay* - 47,085
Indian grammar and text-books, advocated, *Yusuf Ali* - 42,637
Indian history:
Advocated, *Baillie*, 42,220; *U.P. Congress Committee*, 43,201; *Sundar Lal*, 43,419; *Saiyid Nabi-ullah*, 46,769–70; *Piggott*, 47,686.
Advocated, and should be learnt in India, *Holland* - 45,106
Advocated, if not included in Indian Civil Service Examination syllabus, *Moti Lal Nehru* 46,469
Inclusion of certain subjects under advocated, *Burn* - 44,645
Indian literature, art, religion, and folk-lore, advocated, and should be learnt in India, *Holland* 45,106
Languages:
Advocated, *Lindsay* - 48,271
Hindustani, optional for all candidates, advocated, and compulsory for Hindustani-speaking provinces, *Yusuf Ali* - 42,636
Indian classical:
Advocated, and particulars, *Baillie*, 42,220; *Marris*, 43,858, 43,877, 44,187–8; *Muhammad Ali*, 47,843.
Compulsory, advocated, *Burn*, 44,967–8; *Lindsay*, 48,272, 48,337.
Test in Persian and Indian history and Hindu philosophy and, advocated, *Muhammad Ali* 47,843
Persian, should depend on selection of province, *Burn* - 44,965–6
Persian or Sanskrit, advocated, and standard for, *Marris* - 43,858, 44,189–91
Sanskrit, advocated if candidate selected to northern provinces, *Burn* - 44,966–7
Vernaculars:
Advocated, *Baillie*, 42,078; *Ledgard*, 42,479; *Abdul Majid*, 44,519, 44,563; *Piggott*, 47,535, 47,686.
Better instruction should be given in, and reasons, *Sheo Prasad* - 46,202
Colloquial instruction, compulsory advocated, and particulars *re* present books used for, *Marris*, 43,859; *Lindsay*, 48,272, 48,338–9.
Colloquial part best taught and learnt in India, *Burkitt* - 45,879
Compulsory, advocated, *Sitla Prasad Bajpai* 44,307
One year in England sufficient to learn all that need be learnt outside India, *Yusuf Ali* - 42,616
of Province to which candidate posted, advocated, *U.P. Congress Committee*, 43,201; *Sundar Lal*, 43,419, 43,426; *Marris*, 43,838, 43,877, 44,187–8; *Sri Ram*, 45,586–7, 45,596, 45,598; *Clay*, 47,085; *Muhammad Ali*, 47,843.
not Sufficient and Indian manners, customs, prejudices, &c. equally important, and instruction should be given in, *Sheo Prasad* 46,202
Suggestions *re* teaching of, *Burn* - 44,645, 44,709–10
Text-books advocated, *Burkitt* - 45,879
(*see also* Vernaculars *and* Oriental Languages.)
Law:
Advocated, *U.P. Congress Committee*, 43,201; *Lindsay*, 48,271–2, 48,452–3.
Attendance at High Courts in India with reporting of cases advocated, and scheme, *Muhammad Ali* - 47,850
Attendance at Law Courts:
Advocated, *Baillie*, 42,078, 42,081, 42,220, 42,246; *Riza Ali*, 42,570; *Sitla Prasad Bajpai*, 44,306; *Burn*, 44,645; *Burkitt*, 45,879; *Moti Lal Nehru*, 46,471; *Clay*, 47,084–5; *Campbell*, 47,356; *Piggott*, 47,535, 47,700–3; *Lindsay*, 48,272.

Probation, I.C.S.—*continued.*
COURSE OF STUDY—*continued.*
Law—*continued.*
Attendance at Law Courts—*continued.*
not much Importance attached to, *Yusuf Ali* 42,637, 42,753
Civil Procedure, Stamp, Registration Court Fees and Limitation, advocated, *Sundar Lal* 43,419, 43,426
Codes of Civil and Criminal Procedure, advocated, *Sundar Lal*, 43,419, 43,426; *Marris*, 43,858; *Sri Ram*, 45,586.
English Law, advocated, *Muhammad Ali* 47,843
Hindu and Muhammadan Law, advocated, *Sundar Lal*, 43,419, 43,426; *Marris*, 43,858; *Moti Lal Nehru*, 46,469; *Lindsay*, 48,272.
Importance attached to, *Piggott* 47,508, 47,686
Indian constitutions, laws, history, customs, and manners should be taught to Europeans in India, *Saiyid Nabi-ullah* - 46,769, 46,770, 46,777, 46,779
Indian Law and Jurisprudence, advocated, *Baillie*, 42,078; *Ledgard*, 42,479; *Yusuf Ali*, 42,637; *Marris*, 43,858, 43,877; *Sitla Prasad Bajpai*, 44,307; *Burn*, 44,645; *Burkitt*, 45,879; *Clay*, 47,085; *Piggott*, 47,535, 47,686; *Lindsay*, 48,272.
Indian Penal Laws, advocated, *Marris*, 43,858; *Sri Ram*, 45,586.
Land tenures in India advocated, *Sundar Lal*, 43,419, 43,426; *Moti Lal Nehru*, 46,469; *Muhammad Ali*, 47,843–4.
Law of evidence, advocated, *Sundar Lal*, 43,419, 43,426; *Sri Ram*, 45,586.
Law of mortgage and transfer on property, advocated, *Moti Lal Nehru* - - - 46,469
Rent and revenue laws advocated, *Moti Lal Nehru* - - - - - - 46,469
Reporting of police and county court cases, advocated, *Marris* - - - - 43,859
Special training in law for Indian Civilians, suggested but not best way of recruiting for Judicial Branch, *U.P. Congress Committee* 43,190
Training equivalent to that implied by a call to the Bar, advocated and suggestions, *Baillie* 42,088, 42,238–9
Political Economy:
Advocated, *Baillie*, 42,078; *Piggott*, 47,535.
not Advocated, *Clay* - - - - 47,085
not Essential, *Yusuf Ali* - - - 42,637
should be Optional, *Burkitt* - - - 45,879
Special attention should be paid to India in connection with, *Burn* - - - 44,645
Political institutions of England, study of, advocated, *U.P. Congress Committee* - - 43,201
Present course of study satisfactory, *Yusuf Ali*, 42,636; *Clay*, 47,084.
Principles laid down by Lord Macaulay's Committee, 1854:
Accepted, *Baillie*, 42,077, 42,223; *Yusuf Ali*, 42,635; *Burkitt*, 45,877; *Piggott*, 47,533.
Accepted with age limit of 21–23, *Clay* - 47,083
Revenue system, advocated, *Marris*, 43,858, 43,877; *Muhammad Ali*, 47,843–4.
Riding and physical examinations useful for weeding out candidates unfit for Indian administrative life, *Yusuf Ali* - 42,608, 42,684
Special preparation not given enough at present, *Lindsay* - - - - - - - 48,271
Supervisor of studies for each province advocated, *Muhammad Ali* - - - - - 47,844
Works on administration should be studied, *Lindsay* - - - - - - - - 48,272
DIFFERENTIATION BETWEEN PERSONS OF MIXED AND UNMIXED DESCENT:
not Advocated, *Riza Ali*, 42,574; *Yusuf Ali*, 42,652; *Sunder Lal*, 43,429; *Marris*, 43,876; *Abdul Majid*, 44,529; *Shahid Husain*, 45,443; *Sri Ram*, 45,598; *Piggott*, 47,553.
Eurasians and Europeans who are natives of India should be on same footing as natural-born subjects, *Moti Lal Nehru* - - - 46,480
Suggestions for Eurasians and Anglo-Indians, *Muhammad Ali* - - - - - 47,855

Probation, I.C.S.—*continued.*
IN ENGLAND:
Abolition advocated, and reasons, *Yusuf Ali*, 42,631, 42,633, 42,694, 42,696, 42,699, 42,801–2, 42,952; *Malaviya*, 43,158, 43,179.
Advocated for Indians nominated in India under suggested scheme, and arrangements, *Burn* 44,639, 44,830–6, 44,962–4
Advantage for Indian candidates, but not necessary, *Malaviya* - - - - - 43,332–5
Advocated, *Baillie*, 42,071; *Marris*, 43,850, 43,877; *Sitla Prasad Bajpai*, 44,302–3; *Burkitt*, 45,871; *Natthi Mal*, 46,667; *Clay*, 47,077; *Piggott*, 47,526, 47,541, 47,623.
not Advocated for Europeans, *Muhammad Ali* 47,849
Atmosphere not suited for, but might be created, *Yusuf Ali* - - - - - - 42,850–2
Better than in India, and reasons, *Khushalpal Singh*, 43,031; *U.P. Congress Committee*, 43,203; *Marris*, 43,860 2, 43,864, 43,871; *Burkitt*, 45,880; *Clay*, 47,086; *Piggott*, 47,536.
Course could be studied in, and one year could be spent at University if desired, *Sundar Lal* 43,421
for Indians advocated, *Sitla Prasad Bajpai*, 44,308; *Abdul Majid*, 44,522; *Sri Ram*, 45,588; *Moti Lal Nehru*, 46,471, 46,509–10; *Saiyid Nabi-ullah*, 46,770, 46,934, 46,938, 46,961–5; *Piggott*, 47,526, 47,541, 47,623; *Muhammad Ali*, 47,845.
for Members of proposed Statutory Civil Service, advocated, *Khushalpal Singh* - - - 43,005
at Oriental School or Law Courts in London suggested, *Yusuf Ali* - - - - - 42,632
Separate institution:
Advocated, and scheme, *Marris* 43,856, 44,062, 44,064–8
not Advocated, *Baillie*, 42,076, 42,160, 42,221; *Yusuf Ali*, 42,634; *Burn*, 44,645; *Burkitt*, 45,876; *Clay*, 47,082; *Piggott*, 47,532; *Lindsay*, 48,272.
too Short and fragmentary, and reasons, *Burn* 44,639, 44,645
under Supplementary selection system, comparison with English probationers, *Burn* - 44,960–2
University:
at Approved University:
Advocated, and suggestions, *Baillie*, 42,073–4, 42,076, 42,159–60, 42,221, 42,224–6; *Ledgard*, 42,479; *Marris*, 43,852, 43,853, 44,173; *Burn*, 44,645; *Burkitt*, 45,873–4; *Clay* 47,079–80; *Campbell*, 47,356; *Piggott*, 47,528–9, 47,536; *Lindsay*, 48,271–2, 48,281.
not Essential, and should be given up or made shorter, *Marris* 43,831, 44,039–42, 44,175
not Necessary or useful from Service point of view, *Yusuf Ali*, 42,631, 42,697, 42,700; *Malaviya*, 43,158.
not Necessary if college training undergone previous to I.C.S. examination, *Sitla Prasad Bajpai* - - - - - - 44,304
not Objected to, *Yusuf Ali* - - - 42,632
Scheme for period at Oxford or Cambridge, with special degree course for I.C.S., approved, and suggestions, *Marris* 44,173–5
Course of study at, after selection, at age of 19, might be also suitable for candidates selected in India, *Burn* - - - - 44,957–9
Honours course not necessary, *Burkitt*, 45,943–7, 46,085–7; *Lindsay*, 48,388–90.
in England or India, optional, advocated, and reasons and distinctions need not necessarily rise from, *Sundar Lal* - - - 43,421, 43,588 94
English candidates should go to India, and Indian should spend it in England or India, and particulars, *Malaviya* - - - - - 43,180, 43,331 7
IN INDIA:
Advocated as well as in England if time, *Sitla Prasad Bajpai* - - - - - 44,303
Arrangement of courses of Instruction by Provincial Governments:
Advocated and suggestions, *Khushalpal Singh*, 43,033; *Sundar Lal*, 43,423 4; *Abdul Majid*, 44,524; *Shahid Husain*, 45,437; *Sri Ram*, 45,590; *Moti Lal Nehru*, 46,473; *Natthi Mal*, 46,669; *Muhammad Ali*, 47,846–7.

Probation, I.C.S.—*continued.*
IN INDIA—*continued.*
Arrangement of courses of instruction by Provincial Governments—*continued.*
not Advocated, *Baillie*, 42,081; *Yusuf Ali*, 42,640; *Malaviya*, 43,182; *Burkitt*, 45,882; *Moti Lal Nehru*, 46,473; *Saiyid Nabi-ullah*, 46,773.
not Objected to, and suggestions, *Piggott* 47,538
Arrangements with residential colleges such as Aligarh or Benares advocated *Saiyid Nabi-ullah* 46,772, 46,922
Better than in England, *Yusuf Ali*, 42,638, 42,694, 42,852, 42,953; *Sundar Lal*, 43,424, 43,589.
special College:
Advocated, and suggestions, *Sundar Lal*, 43,422-3, 43,729-33; *Marris*, 43,863; *Holland*, 45,093, 45,166; *Natthi Mal*, 46,668.
not Advocated, and reasons, *Baillie*, 42,080; *Yusuf Ali*, 42,639; *Khushalpal Singh*, 43,032; *Malaviya*, 43,181; *Abdul Majid*, 44,523; *Burn*, 44,645; *Shahid Husain*, 45,436; *Sri Ram*, 45,589; *Burkitt*, 45,881; *Moti Lal Nehru*, 46,472; *Saiyid Nabi-ullah*, 46,772, 46,921-2; *Clay*, 47,087; *Piggott*, 47,537; *Muhammad Ali*, 47,846.
for Europeans, advocated, and suggestions, *Abdul Majid*, 44,522-3, 44,525, 44,585-7; *Holland*, 45,106, 45,157-9; *Sri Ram*, 45,588; *Moti Lal Nehru*, 46,471; *Saiyid Nabi-ullah*, 46,769; *Muhammad Ali*, 47,843, 47,845.
under Senior Magistrate or Judge, advocated, *Malaviya* - - - - - 43,158, 43,181
Social intercourse with Indians, and instructions *re* Indian points of view, &c. advocated, *Muhammad Ali* - - - 47,843, 47,848, 48,131

INDIANS:
Similar to English candidates, advocated, *Marris* 43,875
Suggestions and advantage for, *Sitla Prasad Bajpai* 44,447-8
(*see also under* Recruitment, I.C.S.)
Inefficient officers should be weeded out during, *Burn* 44,659

PERIOD:
One year, advocated, *Yusuf Ali*, 42,616, 42,631, 42,695-6; *Khushalpal Singh*, 43,029, 43,066; *Clay*, 47,078, 47,085, 47,129-33.
One or two years advocated according to candidate, *Malaviya*, 43,315; *Saiyid Nabi-ullah*, 46,769.
One or two years advocated, preferably two, and scheme, *Sundar Lal* - - - - 43,419
Two years advocated, *Baillie*, 42,072, 42,219; *Ledgard*, 42,479; *U.P. Congress Committee*, 43,201; *Marris*, 43,851, 43,877; *Riza Ali*, 45,264; *Sri Ram*, 45,586, 45,732; *Burkitt*, 45,868, 45,872, 45,883, 45,945; *Moti Lal Nehru*, 46,459, 46,476; *Piggott*, 47,508, 47,526-7, 47,534, 47,608; *Chaudhri Maharaj Singh*, 48,142.
Two years advocated for Europeans, *Muhammad Ali* - - - - - 47,843, 47,845, 47,849
Two years compulsory and three years optional if certain degrees taken, advocated, *Campbell* 47,356, 47,367
Two years impossible with present age limit. *Burkitt* - - - - - - - - 45,872
Two years for successful candidates in India, suggested, *U.P. Congress Committee* 43,189-90
Two and a half years advocated, six months in England and two years in India for candidates passing in England, *Shahid Husain* 45,434-5
Two or three years advocated, *Burn* - 44,639, 44,645, 44,707, 44,709
Three years advocated, *Abdul Majid*, 44,520; *Lindsay*, 48,271-2, 48,281, 48,306, 48,363, 48,452.
Three years not advocated, and reason, *Burkitt* 45,943-7, 46,085-7
Three years for candidates selected in India, and reasons and arrangements suggested, *Holland* 45,093, 45,106, 45,155-6, 45,231
Three years not objected to if university course taken after I.C.S. examination, *Clay* 47,125-8

Probation, I.C.S.—*continued.*
PERIOD—*continued.*
Enlargement advocated if simultaneous examination granted, and suggestions, *Moti Lal Nehru* 46,446, 46,509-10
Present not long enough, *Lindsay* - - 48,271
Present system not approved, *Marris* - 43,831, 44,041-2
not Satisfactory, and probationers should be placed under trained officers for six years, *Natthi Mal* 46,683
Separate Examination (*see that title*).
Simultaneous Examination (*see that title*).
(*see also* Executive Branch, I.C.S., *and* Judicial Branch, I.C.S.)

Probation, P.C.S.:
Arrangements approved, *Baillie*, 42,123; *Sundar Lal*, 43,439; *Marris*, 43,932; *Saiyid Nabi-ullah*, 46,787.
Arrangements unsatisfactory, and reasons, *Burn* 44,658
Training College for Deputy Collectors, not advocated, *Burn* - - - - - - 44,658
(*see also under* Executive Branch, P.C.S.)

Promotion, I.C.S.:
Arrangements satisfactory, *Piggott* - - 47,559
BLOCK IN:
Bad results of, and remedies suggested, *Baillie*, 42,091, 42,170, 42,275, 42,281, 42,431; *Yusuf Ali*, 42,657, 42,704, 42,706; *Burn*, 44,649, 44,652, 44,742, 44,744-6, 44,887, 44,891-2; *Burkitt*, 45,892, 45,903, 45,949, 45,951-2; *Sheo Prasad*, 46,217, 46,219, 46,228, 46,241; *Clay*, 47,096, 47,103, 47,108, 47,158, 47,160-2, 47,242, p. 462, 464-6; *Piggott*, 47,556-7, 47,637; *Campbell*, 47,356-7, 47,396; *Muhammad Ali*, 47,857; *Lindsay*, 48,274, 48,404.
Interchange of officers in I.C.S. between different provinces and between I.C.S. and India Office suggested to remove, *Yusuf Ali* - 42,714-8
Optional pensions at end of 15 or 20 years' service, suggested to remove, *Yusuf Ali* - - 42,714
some Cases of men in I.C.S. not attaining to superior posts or retiring as Joint Magistrates, *Baillie* 42,347
to first grade of Collector, largely by seniority, and particulars, *Marris* - - - - 44,056-60
Grade system, unsatisfactory, and suggestions and particulars, *Baillie* - - - 42,097, 42,175-6
Grades of, suitable, *Burkitt*, 45,895; *Clay*, 47,099.
Independent responsibility for all members within fixed time undesirable, *Baillie* - - - 42,102
Officers promoted from P.C.S. should not be debarred from holding highest posts in service, and particulars, *Muhammad Ali* - - - 47,912-6
OFFICIATING:
Complicated, and not approved, *Baillie* 42,469 71
Differentiation from P.C.S., reasons for, *Burn* 44,660
Expenses and disadvantages of, and remedy suggested, *Clay* - - - - p. 462-3, 464
Six weeks' restriction, abolition advocated, *Piggott* 47,808
System satisfactory, *Yusuf Ali*, 42,664; *Marris*, 43,891.
to Posts of responsibility within reasonable period, advocated, *Marris* - - - - - 43,896
Preference should be given to officers possessing thorough knowledge of vernacular, *Khushalpal Singh* - - - - - - - - 43,034
Rate far behind what it should be, *Yusuf Ali* 42,655, 42,704, 42,706
Refunds necessitated by delay in gazetting reversions, *Baillie* - - - - 42,096, 42,175-6
SELECTION TO HIGHER POSTS:
Advocated, *Holland* - - 45,093, 45,103, 45,106
Beyond Rs. 2,250 grades advocated, *Burkitt* 45,894, 46,088-93
no Complaint *re*, except that principle not applied sufficiently, *Marris* - - 43,882, 44,056-60
Efficiency should be sole qualification for, *Muhammad Ali* - - - - - - - 47,857
Merit should be considered more, and system of rigid selection advocated, *Lindsay* - - 48,274
(*see also under* Judicial Branch, I.C.S.)

Promotion, P.C.S.:
Block in, results of, and remedies suggested, *U.P. Congress Committee*, 43,191; *Sundar Lal*, 43,518, 43,798–800; *Marris*, 44,007–20, 44,051–4, 44,209–10; *Burn*, 44,659, 44,875–81; 45,041–4; *Saiyid Nabi-ullah*, 46,788.
Flow of promotion not equally distributed during period of service, and reasons, *Baillie*, 42,375; *Burn*, 44,649, 44,742.
GRADES:
Above Rs. 500 should not exceed one-third of total strength of service, *Muhammad Ali* 47,872
Addition of Rs. 900 and Rs. 1,000 advocated, and particulars *re*, *Muhammad Ali* 47,863, 47,868, 47,872, 47,944
Many below Rs. 250, but not in subordinate service, *Baillie* - - - - - 42,371–2
Scheme for fixing of four grades only, *Muhammad Ali* - - - - - - - - - 47,872
GRADED SYSTEM:
Intended to work as clumsy time-scale under present system, but has broken down twice, *Clay* - - - - - - - - - 47,103
Preferred to time-scale, reasons, *Baillie* 42,129, 42,181–7, 42,473
List of officers with stopped promotion, *Burn* 44,760
OFFICIATING:
Advocated, with acting allowance same as in I.C.S., *Khushalpal Singh*, 43,053; *Sundar Lal*, 43,449; *Marris*, 43,944, 44,261–2; *Sitla Prasad Bajpai*, 44,338; *Sri Ram*, 45,614, 45,686–9; *Sheo Prasad*, 46,227, 46,232, 46,287, 46,432–3; *Muhammad Ali*, 47,873, 47,943; *Chaudhri Maharaj Singh*, 48,146.
not Advocated, *Baillie*, 42,467, 42,472–3; *Piggott*, 47,585, 47,798–9.
Differentiation from I.C.S., reasons for, *Burn* 44,660
System of allowing Government to appoint local approved candidate should be revived, *Sheo Prasad* - - - - - - - - - 46,215
Period from lowest to highest grades about 17–28 years' service, *Baillie* - - - - - 42,373
SELECTION TO HIGHER GRADES:
too Late in life at present, *Sitla Prasad Bajpai* 44,330
Power of giving, to grade Rs. 500, complaints against present system, *Sri Ram* 45,603, 45,657, 45,716
Seniority coupled with merit, method of selection for posts above Rs. 400, and approved, *Sitla Prasad Bajpai* - - - - - - 44,329
Suggestions for improvement in, *Sitla Prasad Bajpai* - - - - - - - - - 44,330
more than Ten years often served before reaching Rs. 500 grade, grading should be arranged to give all chance of rising to top before retirement, *Yusuf Ali* - - - - - - - - 42,995–6
(*see also under* Executive Branch, P.C.S., *and* Judicial Branch, P.C.S.)

Provident Fund:
most Officers of P.C.S. not subscribing to some Life Insurance scheme previous to introduction of, are joining, *Sheo Prasad* - - - - - - 46,242
SUBSCRIPTION BY MEMBERS OF P.C.S.:
Extent of, and particulars, *Marris*, 43,961; *Sitla Prasad Bajpai*, 44,354.
Number of officers subscribing to, and popularity of, but withdrawal of restrictions on deposits not approved, *Burn* - - - - - 44,662

Provincial Civil Service:
Abolition of distinction between I.C.S. and (*see under* I.C.S.).
Best men not attracted to, at present, *Sundar Lal* 43,501–2, 43,508, 43,784–5, 43,807–9
Closer connection with I.C.S. desired, and particulars, *Muhammad Ali* - - - - - 47,876, 48,010–1
DESIGNATION:
Remarks *re*, *Burn* - - - - - - 44,659
Satisfactory, *Khushalpal Singh*, 43,049; *Marris*, 43,941; *Sitla Prasad Bajpai*, 44,334; *Shahid Husain*, 45,456; *Moti Lal Nehru*, 46,489; *Natthi Mal*, 46,686; *Saiyid Nabi-ullah*, 46,770; *Piggott*, 47,581.

Provincial Civil Service—*continued.*
DESIGNATION—*continued.*
Satisfactory, and change in name only without improvement of prospects, &c. would signify nothing, *Muhammad Ali* - - - 47,870
not Satisfactory, if stigma of inferiority to be always attached to, and suggestions, *Sri Ram* 45,610, 45,658–61, 45,770–2
not Satisfactory, and alteration to names of individual provinces suggested, *Sundar Lal*, 43,442; *Sheo Prasad*, 46,223, 46,283, 46,306–7, 46,358.
Deterioration in character and capabilities of candidates obtained for, *Muhammad Ali* - 47,832, 47,871, 48,092–6
Deterioration in prestige of, and particulars, but prospects improving now, *Shahid Husain* 45,501–4, 45,560–2
Difference from I.C.S. should not be insisted upon as regards service as a whole, but difference of work unavoidable, *Sri Ram* - - 45,658–61
all District posts should be thrown open to, if division made unit of administration, and details, *Yusuf Ali* 42,677
Feeling among members that they are kept back, *Sheo Prasad* - - - - - - 46,438
Improvement and increase of prestige desired for, *Sundar Lal* - - - - 43,490, 43,807–9
Increase in cadre always attended by decrease in percentage of posts carrying higher rates of salary *Sheo Prasad*, 46,225; *Chaudhri Maharaj Singh*, 48,145.
Increasing access of members of, to judgeships and collectorships, *Yusuf Ali* - - - - 42,677
Indian character of, should be preserved, *Sheo Prasad* 46,203
Many members of, independent and capable officers, *Sri Ram* - - - - - - 45,716–7
Members should have some place in Warrant of Precedence, *Yusuf Ali*, 42,989; *Sundar Lal*, 43,806–9.
Members of same class as members of Bar, and comparison between two, *Sri Ram* - 45,782–4, 45,796–9
Offer of appointments in, to three-fourths Indians unsuccessful in selection for I.C.S., scheme, *Marris* 43,819
Officers, insurance in Government funds, percentage, *Burn* - - - - - - - - 44,662
Organisation satisfactory, *Baillie*, 42,125; *Marris*, 43,962; *Burn*, 44,659; *Piggott*, 47,571, 47,599.
Overwork, bad results of, and remedy suggested, *Sundar Lal*, 43,498–500; *Sitla Prasad Bajpai*, 44,460–6; *Sheo Prasad*, 46,232, 46,400.
a "Pariah Service," particulars *re*, and explanation, *Sri Ram*, 45,658, 45,770–2; *Sheo Prasad*, 46,223; *Muhammad Ali*, 47,824, 47,832, 47,966–8, 48,010, 48,124–9.
Probationers and junior officers should be encouraged to refer difficulties to district officers, and advantages, *Muhammad Ali* - - - 47,867

PROMOTION TO I.C.S.:
would not Greatly enhance attraction of Provincial Service, and suggestions, *Sundar Lal* 43,740–2
Improvement in, expected in case of, *Burkitt* 45,864, 45,932, 45,985
(*see also under* Listed Posts.)
Prospects not so good as Police Department, and unfair in consideration of work done by, *Yusuf Ali* 42,998
Prospects poor and improvement necessary, particulars, *Muhammad Ali*, 47,838, 47,857, 47,969, 48,002, 48,005; *Chaudhri Maharaj Singh*, 48,145.

REORGANISATION:
Reason for, *Burn* - - - - - - 45,037
Estimate of cost, and particulars, *Burn* - 44,660
Rules governing, compare unfavourably with other services, and distinction should be removed, *Chaudhri Maharaj Singh* - - 48,151, 48,241–50
Status improving, *Sundar Lal* - - - 43,735

STRENGTH OF SERVICE:
Arrangements for, and particulars *re*, *Burn* 44,657, 44,659

Provincial Civil Service—*continued.*
STRENGTH OF SERVICE—*continued.*
Higher grades, increase in number of posts in, advocated, *Khushalpal Singh*, 43,047; *Sundar Lal*, 43,798-800; *Shahid Hasain*, 45,454; *Saiyid Nabi-ullah*, 46,788; *Campbell*, 47,356, 47,392-3; *Muhammad Ali*, 47,857, 47,863, 47,868, 47,943-4.
Inadequate, but increase to take place soon, *Sheo Prasad* - - - - 46,225-6, 46,402-3
Increase of cadre sanctioned by Secretary of State and arrangements, *Burn* 44,659, p. 216
Normal and actual distribution in United Provinces for 1913, *Burn* - - - - - - p. 235
Number of officers, *Sitla Prasad Bajpai* - 44,317
Number of officers authorised for, different grades satisfactory, *Natthi Mal* - - - 46,684
Reorganisation of, in past, and inadequacy of, particulars *re*, *Chaudhri Maharaj Singh* - 48,145
Revision of cadre made lately, and no change needed at present, *Sundar Lal* 43,440, 43,796-7
Valuable work done by, *Sri Ram*, 45,769; *Piggott*, 47,599.
Valuable work done by, but service intended to be, and should remain subordinate, *Campbell* - 47,356, 47,382, 47,389-91, 47,421, 47,424, 47,429-30, 47,439, 47,474
Views taken by members of, fairer and more independent of class feeling than those of legislative councils, particulars, *Baillie* - - 42,291-6

Public Prosecutor or Court Inspector, prosecutions controlled by, and particulars *re* position of, *Sundar Lal* - - - - - - 43,678-81, 43,766-9

Public Service Commission of 1886:
Adjustment of pay in P.C.S. on principle recommended by (*see* Pay, P.C.S.).
Appointment, and work done by, particulars, *U.P. Congress Committee* - - - - 43,189-90
Arguments of, against simultaneous examination examined and refuted, *Malaviya*, 43,161; *U.P. Congress Committee*, 43,189.
Certain posts recommended to be thrown open to P.C.S. by, particulars, *Chaudhri Maharaj Singh* 48,144
Concessions of, and Indian aspirations not satisfied by, *Burn* - - - - - - - - 44,992-4
Efficiency of Indian members of I.C.S. acknowledged by, and particulars, *Malaviya*, 43,161; *U.P. Congress Committee*, 43,189.
Emoluments of European officers declared to be a serious charge on Indian revenues by, *U.P. Congress Committee* - - - - - 43,189
General principles of recruitment to P.C.S. based on recommendations of, *Chaudhri Maharaj Singh* 48,138
Illiberal recommendations of, particulars, *Muhammad Ali* - - - - - - - - - 47,832
Injustice to Indians done by recommendation for abolition of Statutory Civil Service, *Riza Ali* 45,268
Particulars *re*, *Muhammad Ali* - - - 47,832
Result of, practically reversion of policy of Government of India in 1878, *Muhammad Ali* - 47,832
35 per cent. of witnesses examined by, in favour of simultaneous examination, *U.P. Congress Committee* - - - - - - - - - 43,189

Public Works Department, pay better in proportion to age of officer than in I.C.S., *Clay* - - 47,162

Q.

Queen's Proclamation of 1858, promises given in, not fulfilled, *Malaviya* - - - - - - 43,158

Quinquennial Examination (*see under* Conditions of Service).

R.

Raja, Khushalpal Singh, M.A., LL.B., evidence of 43,001-156

Rajputs:
not Adequately represented in service, and particulars *re*, *Shahid Husain* - - 45,486-90, 45,537
Administrative capacity and reservation of posts for, advocated, and scheme, *Muhammad Ali* 47,819, 48,038, 48,082-5

Rajputs—*continued.*
Executive capacity good, but chances in competitive examination would be poor, *Baillie* 42,265, 42,307-8
Political importance of, referred to, *Khushalpal Singh* 43,043

Rate of Exchange (*see* Exchange Compensation Allowance *under* Pay).

Recruitment, I.C.S.:
AGE OF ARRIVAL IN INDIA:
20-22, advocated, *Burn* - 44,639, 44,975, 45,002
20-23, advocated, *Campbell* - 47,356, 47,369
21, advocated, *Burkitt* - - - - 45,869
21-24, advocated, *Piggott* - - - - 47,511
22, advocated, and reasons, *Lindsay* - 48,271, 48,280, 48,282-3
23½, advocated as maximum, but 21-22 preferred, and reasons, *Marris* - 43,831, 43,834, 44,038, 44,168
23-24, advocated, *Baillie* - - 42,055, 42,058
23-27, advocated, and particulars, *Muhammad Ali* - - - - - - - 47,827-8
24, advocated, *Clay* - - - 47,064, 47,119
24-25, advocated, *Khushalpal Singh*, 43,013; *Malaviya*, 43,168, 43,302-8; *Shahid Husain*, 45,419.
24-26, advocated, and particulars *re*, *Saiyid Nabi-ullah* - - - - - - 46,756, 46,923
26, advocated, *Moti Lal Nehru* - - - 46,454
26-27, advocated, *Sri Ram* - 45,574, 45,639-46
Indians might start work later than Englishmen if scheme for recruitment in India adopted, but disadvantage in, *Lindsay* - 48,271, 48,295-6, 48,365-82, 48,425-7
Inequalities in, under present system, *Lindsay* 48,367
Present age:
too Late, *Burn* - - - - - 44,639
Satisfactory, *Natthi Mal* - - - 46,651
as Soon as possible after probation, advocated, *Sundar Lal* - - - - - - 43,404
Annual indent, accurate results not attained under present system, and difficulties *re*, *Marris* 43,881
Appointment of outsiders by Governor-General and Local Governments, advocated in special cases, and particulars, *Muhammad Ali* 47,835-7, 47,839, 47,903-4, 47,986-7
Appointments should depend on examination, except for minimum reserved for Europeans, and no fixed proportion should go to Natives of India, *Khushalpal Singh* - - - - - 43,007
Character and ability should be sole qualifications, and reasons, *Holland* - - 45,095, 45,103

CLASS REPRESENTATION:
Advocated, *Khushalpal Singh*, 43,005, 43,112; *Sundar Lal*, 43,396; *Holland*, 45,095; *Riza Ali*, 45,263, 45,353-67; *Shahid Husain*, 45,415; *Burkitt*, 45,864; *Saiyid Nabi-ullah*, 46,798, 46,813, 46,850-72, 46,896-900, 46,950-7, 46,973-82; *Clay*, 47,061.
Advocated for Indian branch of service in scheme for separate cadre, *Campbell* - - - 47,356
not Advocated, *Marris*, 43,826; *Moti Lal Nehru*, 46,448, 46,458, 46,515-7.
Effect of simultaneous examinations anticipated on, *Malaviya* - - - - - - 43,161
Equality of opportunity for all advocated, but efficiency of more importance, *Ledgard*, 42,479 (6); *Yusuf Ali*, 42,612, 42,853-6, 42,872, 42,948; *Malaviya*, 43,163.
Government provisions for, *Muhammad Ali* 47,819
not Practicable, *Baillie* - - - - 42,052

COMPULSORY DEGREE:
Advocated except in special cases, *Muhammad Ali* 47,819, 47,827, 47,887, 48,016
not Advocated, *Riza Ali* - - - - 45,410
Decremental rate, *Burn* - - 44,649, 44,734-8
Efficiency in not secured by present system of recruitment, *Muhammad Ali* - - - 47,816
Errors in calculation of, *Piggott*, 47,557, 47,637; *Clay*, 47,096, 47,106.

OF INDIANS IN INDIA:
not Advocated, *Baillie* - - - - 42,052

Recruitment, I.C.S.—*continued.*
OF INDIANS IN INDIA—*continued.*
Age limits:
17–19 advocated in connection with scholarship scheme and, *Moti Lal Nehru* 46,446, 46,495, 46,507
might be Higher than for candidates recruited by I.C.S. examination in England, and particulars *re*, and difficulties, *Lindsay* 48,271, 48,295–6, 48,365–82, 48,425–7
B.A. degree should be one of conditions of, *Lindsay* 48,271, 48,293, 48,297–8
Combined Nomination and Examination:
Advocated, and schemes, *Sri Ram*, 45,568, 45,581, 45,629–5; *Lindsay*, 48,271–2, 48,286, 48,385, 48,400–1, 48,405–13, 48,417, 48,422–4.
not Advocated, and reasons, *Baillie* 42,152–5
not Objected to, but candidates must be of respectable family, and suggestions for, *Natthi Mal* - - - - - 46,645, 46,701–2
Scheme for, might damage prospects of P.C.S., *Lindsay* - 48,271, 48,299–303, 48,439–50, 48,454–6
Stoppage of examinations owing to excess of Indians not anticipated, and particulars, *Lindsay* - - - - - 48,408–13
Two years probation in India, followed by training in India, advocated, *Sri Ram* 45,597
in England preferred, *Baillie* - 42,070, 42,079
Indians' seniority in service will be regulated by final examination, *Lindsay* 48,376–80, 48,383
Indians should still be eligible for appointment in England, *Yusuf Ali*, 42,613; *Khushalpal Singh*, 43,005, 43,008; *Malaviya*, 43,104; *Sundar Lal*, 43,396–7, 43,399, 43,459; *Burn*, 44,639; *Holland*, 45,096; *Riza Ali*, 45,263; *Sri Ram*, 45,569, 45,636; *Burkitt*, 45,865; *Moti Lal Nehru*, 46,449; *Nabi-ullah*, 46,753; *Piggott*, 47,504; *Muhammad Ali*, 47,823, 47,982; *Lindsay*, 48,271, 48,384.
Indians should not be eligible for appointment in England, *Abdul Majid*, 44,502, 44,544–6; *Campbell*, 47,386.
Nomination, educational, moral, and physical attainments should be more considered, *Burn* 44,639
Probation:
Law training would be equal, perhaps superior, to that given for P.C.S., *Lindsay* - 48,453
should be Same as those recruited in England, *Sri Ram* - - - - - - - 45,638
Three years at English University advocated, on same lines as English recruits, *Lindsay* 48,271, 48,294, 48,297, 48,386 91, 48,395–6, 48,452–3
Selection from other Services should be made if military officers also recruited, *Saiyid Nabi-ullah* 46,765
Supplementary system of selection from Executive Branch, P.C.S., scheme, and reasons for, *Burn* 44,639 (7), (9)–(12), 44,645, 44,653, 44,669, 44,672–6, 44,679–92, 44,770, 44,773–82, 44,807–20, 44,830–9, 44,862, 44,903–7, 44,911–9, 44,920–40, 44,952–6, 44,960–4, 44,980–1, 45,004, 45,021, 45,051–8, 45,072–7, 45,085
same Training as for other members of service, advocated, *Khushalpal Singh* - - - 43,038

INDIANS:
Appointments proposed for, *Abdul Majid* 44,560–1
Best type of, not secured under present system, *Holland* - - - - - - - - 45,241–4
Cannot secure proper share in administration under present conditions of, *Moti Lal Nehru* 46,442
on Different footing from Europeans, not advocated, *Moti Lal Nehru* - - - - - - 46,449
Excessive at present, and suggestions and explanation, *Marris* - - 43,840, 44,164–7, 44,197
Fixed proportion not advocated, and no limit on number entering service advocated, *Moti Lal Nehru* - - - - - - 46,446, 46,449
Ideal course of education for, suggestions and particulars, *Saiyid Nabi-ullah* 46,927–30, 46,933, 46,941, 46,948–9, 46,958

Recruitment, I.C.S.—*continued.*
INDIANS—*continued.*
Increase anticipated in near future, when fitness of, proved, *Campbell* - - - - 47,356
Increase advocated, *Abdul Majid*, 44,495–6, 44,498, 44,501, 44,503, 44,512, 44,541–3, 44,574–84, 44,615; *Burn*, 44,639, 44,665; *Sri Ram*, 45,579.
Maximum of one-sixth advocated under present conditions, *Ledgard* - - - 42,586–7
Minimum proportion:
Advocated, and scheme, *Riza Ali* 45,263, 45,283–91, 45,368–70
not Advocated, and reasons, *Holland* 45,093–4, 45,103, 45,146–7, 45,185, 45,247–8
Number, *Baillie* - - - - 42,065
Present system:
Approved, *Baillie*, 42,064; *Khushalpal Singh*, 43,019, 43,129; *Sitla Prasad Bajpai*, 44,298; *Holland*, 45,104; *Natthi Mal*, 46,657; *Clay*, 47,073.
Approved except for open competition by which Indians should not be admitted, suggestions, *Marris* 43,841, 43,849, 43,973–8, 44,220–3
not Approved, *Malaviya*, 43,173; *Sri Ram*, 45,580; *Moti Lal Nehru*, 46,460; *Saiyid Nabi-ullah*, 46,762; *Piggott*, 47,518, 47,743.
by Promotion from P.C.S. advocated, and scheme and reasons, but change must take place gradually, *Burkitt* 45,864–6, 45,884, 45,900, 45,910, 45,923–9, 45,931–8, 45,985–6005, 46,133–40
Provision should be made for candidates taking up B.A. degree in England to join I.C.S. examination, but must come of respectable families, *Natthi Mal* - - - - - - 46,645
Proportion if posts advocated for, scheme, *Burn* 44,639, 44,653, 44,666–8
Qualifications suggested, *Abdul Majid*, 44,501; *Shahid Husain*, 45,415, 45,471–4, 45,478, 45,506–11, 45,512–14, 45,518–21, 45,526–8, 45,539; *Saiyid Nabi-ullah*, 46,829–30, 46,900; *Lindsay*, 48,271, 48,362.
should be Recruited young, *Piggott* 47,503, 47,518, 47,680–1
on Same lines as European would be best if possible to devise, *Burn* - - - - 44,998
Selection by responsible authority advocated, and scheme, *Marris* 43,819, 43,975–6, 43,983–93, 44,029–36, 44,070–8, 44,159–63, 44,196–7, 44,221–2
Selection of outsiders not advocated, and reasons, *Piggott* - - - - - - - 47,518
Three different methods advocated, and advantages and reasons for, *Burn* 44,639 (9) (12), 44,764, 45,017
Intellectual capacity not the only standard required for, *Holland*, 45,177, 45,214–7; *Riza Ali*, 45,263.
Intermediate examination not sufficiently high test for, *Lindsay* - - - - - - 48,362
List showing number of officers recruited in each year, *Clay* - - - - - - - p. 467
Marriage of successful candidates of Indian Civil Service Examination during early years of service, a disadvantage, and reasons, *Burn* - 44,639
Merit should be sole criterion for, and particulars, *Muhammad Ali* 47,832, 47,910–6, 48,002, 48,014

NOMINATION:
not Advocated, *U.P Congress Committee*, 43,189; *Sundar Lal*, 43,398; *Sitla Prasad Bajpai*, 44,292; *Shahid Husain*, 45,515–6; *Moti Lal Nehru*, 46,448, 46,449–500; *Natthi Mal*, 46,645; *Clay*, 47,054, 47,061.
Combined with Competition:
not Advocated, *Yusuf Ali*, 42,608, 42,612; *Sundar Lal*, 43,398; *Sitla Prasad Bajpai*, 44,292; *Holland*, 45,092, 45,117; *Moti Lal Nehru*, 46,448, 46,499–501.
not Advocated, but preferred if I.C.S. recruited in India, and scheme, *Clay* 47,061, 47,319
Experiment in 1879, a failure, reasons, *U.P. Congress Committee* - - - - - 43,189
by Headmasters of approved schools advocated, followed by selection by Secretary of State, and, finally, open competition scheme *re*, *Campbell* 47,356, 47,365–6

Recruitment, I.C.S.—*continued.*
NOMINATION—*continued.*
by Headmasters and University authorities and selection under orders of Secretary of State, not advocated, and reasons, *Yusuf Ali* - 42,608
and Selection not advocated, *Ledgard*, 42,479 (3), 42,588, 42,590; *Malaviya*, 43,157; *Marris*, 43,822.
of Outsiders to Higher Posts increasing, *Yusuf Ali* 42,677
Theoretically good, but some disadvantages, *Marris* 43,822
Physique and character, &c. should be considered, *Campbell*, 47,356, 47,446–7; *Muhammad Ali*, 47,815–6, 47,819, 47,891–3.
Power of Government to make direct appointments to any post in exceptional cases, particulars *re* and certain abuses of, objected to in cases of appointing juniors over heads of seniors, and examples, *Sheo Prasad* - - - - - - - 46,344–7
from P.C.S. advocated, *Riza Ali* - - - 45,402
from P.C.S., men should be on different plane from those entering by the open competition, *Baillie* 42,212–3, 42,449
Rate, *Burn* - - - - - 44,868–9, p. 200
RECRUITS:
All-round fitness and capacity of recruits in 1908–9, particulars *re*, *Piggott* - - 47,510
Better men might be obtained than at present, *Campbell* - - - - - - 47,444
British preferred to Indian, and reasons, *Ledgard* 42,479 (2)
Majority suitable, and particulars, *Baillie* - 42,057
Married, disadvantages of, *Burkitt* - - 45,868
fewer Public school boys of best type obtained under present system, and particulars, *Campbell* 47,356, 47,440–3
Satisfactory recruits obtained under, and particulars *re* individual officers, *Piggott* 47,509–10
Representation of provinces in proportion to population suggested, and scheme, *Sundar Lal* 43,460–5
Reservation of posts to members of I.C.S., particulars *re*, and necessity for, *Sri Ram* - - 45,773–6
Restriction to Public School boys not advocated, and reasons, *Ledgard* - - - 42,571–2
RESTRICTION TO RESIDENTS:
Appointment of Indians to provinces other than their own, might give them the advantage of detachment, *Lindsay* - - - - 48,403
as Far as possible advocated, and particulars *re*, *Lindsay* - - - - 48,289–92, 48,393–5
no Importance attached to, *Yusuf Ali* - 42,893
SELECTION:
not Advocated, and reasons, *Yusuf Ali*, 42,608; *Sundar Lal*, 43,567; *Burn*, 44,639, 44,976–8.
Combined with open competition, advocated, and suggestions, *Marris* 43,818, 43,822, 43,967–72, 44,170
Direct, insuperable objections to, and particulars, *Clay* - - - - - - - - 47,054
before Examination, scheme for, and chances of passes under, *Yusuf Ali* - - - - 42,778
with University qualification advocated, and particulars, *Baillie* - - 42,159–60, 42,048
SELECTION FROM OTHER INDIAN SERVICES:
not Advocated, *Khushalpal Singh*, 43,022; *Shahid Husain*, 45,427; *Moti Lal Nehru*, 46,463; *Natthi Mal*, 46,660; *Piggott*, 47,522.
no Objection to, if men of tried ability and good standing chosen, *Muhammad Abdul Majid* 44,515
Separate cadre (*see under* Indians).
Specialisation with reference to agriculture, chemistry, &c. before recruitment not advocated, *Lindsay* - - - - - - 48,397–8
no System, but open competition advocated, *Malaviya* - - - - - - - 43,163, 43,320–4
PRESENT SYSTEM:
not Enough Indians enter service under, *Piggott* 47,518, 47,743
Good enough for recruitment of Sessions Judges, *Natthi Mal* - - - - - - 46,648

Recruitment, I.C.S.—*continued.*
University training previous to entrance to service advocated, *Shahid Husain* - - - - 45,415
(*see also* Executive Branch, I.C.S., *and* Judicial Branch, I.C.S.)

Recruitment, P.C.S.:
Alterations and modifications suggested, *Sri Ram* 45,603
Approved, *Burn* - - - - - - - 44,657
B.A. degree, qualifying examination for, *Burn* 44,780
CLASS REPRESENTATION:
Advocated, and suggestions for, *Riza Ali*, 45,383; *Shahid Husain*, 45,452; *Saiyid Nabi-ullah*, 46,786.
Advocated, as far as Practicable, *Holland* 45,108, 45,250
Advocated, but not at expense of efficiency, *Khushalpal Singh*, 43,045, 43,097, 43,134–5, 43,138, 45,143; *Sundar Lal*, 43,435, 43,438, 43,522; *Sitla Prasad Bajpai*, 44,321; *Sri Ram*, 45,603 6, 45,713; *Sheo Prasad*, 46,210; *Muhammad Ali*, 47,863, 47,866, 48,048–9; *Chaudhri Maharaj Singh*, 48,140–1, 48,166, 48,211.
not Advocated, *Moti Lal Nehru*, 46,487, 46,516–9; *Natthi Mal*, 46,682.
All classes more or less represented at present, *Chaudhri Maharaj Singh* - 48,141, 48,164–5
All classes not duly represented at present, and details, *Shahid Husain* - - 45,452, 45,486–90
certain Classes should be represented but would not do well in simultaneous examination, *Baillie* 42,307–19
Desirable, but no rules should be made respecting, and no complaints *re*, *Marris* - - - 43,931
no Distinction should be made between I.C.S. and P.C.S. in matter of, *Moti Lal Nehru* 46,516–7
Impracticable except among educated classes, *Baillie* - - - - - - - 42,122
not Necessary, but communities should be adequately represented, and reasons, *Abdul Majid* 44,534
Posting of officers of one community to districts mainly inhabited by another community, not objected to, and example, *Moti Lal Nehru* 46,515
Proportion, and statistics *re*, *Sitla Prasad Bajpai* 44,321
from Clerical service not advocated, *Yusuf Ali* 42,997
Competitive examination (*see* Open Competition *below*).
Compulsory degree advocated, *Sheo Prasad*, 46,267–8; *Chaudhri Maharaj Singh*, 48,140.
Conditions, satisfactory, *Baillie*, 42,119; *Sundar Lal*, 43,435; *Shahid Husain*, 45,449; *Piggott*, 47,563.
EUROPEANS:
should be Admitted only in special cases, *Sheo Prasad* - - - - - - - - 46,203
Anglo-Indians usually chosen for posts open to, *Burn* - - - - - - 44,657, p. 208
should be Eligible, *Burn* - - - - 44,657
Number, *Sheo Prasad* - - - - 46,207
not Objected to, if eligible, but should not displace Indians, *Muhammad Abdul Majid* - 44,625–32
only One not a "Native of India," known of, and particulars, *Burn* - - 44,657, p. 207, 208
History of different systems tried for, and methods employed and statements showing number of officers recruited each year, *Burn* - - 44,657
Improvement in class of men recruited, and increased pay would attract still better, *Muhammad Abdul Majid* - - - - - - - 44,634–5
Methods, particulars *re*, and history of, *Chaudhri Maharaj Singh* - - - - - - 48,140
from Ministerial service, rare, *Baillie* - - 42,390
Moral and physical qualifications of great importance, *Ledgard* - - - - - - - 42,479 (6)
NOMINATION:
not Approved, and reasons, *Holland*, 45,108, 45,117, 45,168–73; *Muhammad Ali*, 47,864, 47,866.
Best method ten years ago, *Marris* - - 43,929
Best method at present, *Marris* - - 44,135
Best system, and selection of larger number of men on college and university records anticipated, *Burn* - - - - - 44,657, p. 207

Recruitment, P.C.S.—*continued.*
NOMINATION—*continued.*
"Character" should be considered, *Chaudhri Maharaj Singh* - - - - - 48,228
combined with Examination:
Advocated for filling one half of vacancies, and reasons, *Chaudhri Maharaj Singh* - 48,143, 48,157–8, 48,259–64
Principle recognised in some provinces, *Muhammad Ali* - - - - - 47,819
Scheme for, with special reference to backward committees, *Muhammad Ali* - 47,863–4
by Government alone, advocated, *Ledgard* 42,479 (6), 42,592
Intellectual test should not be only consideration, and reason, *Chaudhri Maharaj Singh* - 48,140, 48,227–9
One-fourth from graduates advocated, to be selected from land-owning classes as far as possible, *Chaudhri Maharaj Singh* - 48,140, 48,159–63, 48,259–62
Open competition preferred to, *Yusuf Ali* - 42,979
Present system of, and should begin with naib-tahsildars and officers above should go up by promotion, suggestions, *Marris* - 44,135–40
Principles underlying, and possible to obtain good men by, *Chaudhri Maharaj Singh* - - 48,140
Satisfactory choice of candidates not always made under, and particulars, *Chaudhri Maharaj Singh* 48,140, 48,228–9, 48,261–2
Scheme for, by local authority, and selection by a central authority afterwards, particulars, *Baillie* 42,120
and Selection advocated, and particulars, *Khushalpal Singh* - - - 43,132–3, 43,136–8
Usual method and present system and particulars *re, Chaudhri Maharaj Singh* - - - 48,140

OPEN COMPETITION:
Advocated, *Yusuf Ali*, 42,978–9, 42,981, 42,984–5; *U.P. Congress Committee*, 43,191; *Moti Lal Nehru*, 46,484–5.
Advocated after nomination, and particulars, *Saiyid Nabi-ullah* - - - - 47,032–3
not Advocated, *Baillie*, 42,051, 42,120; *Khushalpal Singh*, 43–131.
not Advocated alone, *Chaudhri Maharaj Singh*, 48,263–4; *Ledgard*, 42,594–5.
Desired by educated classes, *Chaudhri Maharaj Singh* - - - - - - 48,262–4
Introduced by Sir Antony Macdonnell, experience of, *Baillie*, 42,267–9; *Marris*, 44,133, 44,141–2; *Riza Ali*, 45,263, 45,338–40; *Moti Lal Nehru*, 46,629–33; *Chaudhri Maharaj Singh*, 48,140, 48,155–7.
Reintroduction not advocated, *Burn* - - 44,758
Particulars and number, *Sheo Prasad* - - 46,207
Particulars *re* candidates and method of selection, *Sundar Lal*, 43,436, 43,536–7, 43,810–1; *Sitla Prasad Bajpai*, 44,320.
Particulars *re*, and opinions for deputy collector, *Burn* 44,657, 44,940–2, p. 204, p. 205, p. 215
Particulars of different systems adopted for at various times, *Marris* - - - - 43,928

PRESENT SYSTEM:
not Satisfactory, *Moti Lal Nehru* - - 46,484
Suitable, *Marris*, 43,926; *Natthi Mal*, 46,680.

PROMOTION FROM SUBORDINATE SERVICE:
no Objection to taking men freely from tahsildars service, *Sheo Prasad* - - - - 46,357
One-fourth advocated, *Chaudhri Maharaj Singh* 48,140, 48,189, 48,191, 48,258
Poor recruits obtained by, but better could hardly be expected, *Chaudhri Maharaj Singh* - 48,140
Probationers recruited by, should have practice in judicial work, *Burn* - - - - 44,658
Proportion of about one-half at present, *Chaudhri Maharaj Singh* - - - - - 48,190
Selection at earliest stage possible advocated, and reasons and particulars *re, Sheo Prasad* 46,208, 46,354–7
Suggestions *re* alterations for, and particulars *re*, *Baillie* - - - - - - - - 42,272

Recruitment, P.C.S.—*continued.*
QUALIFICATIONS:
Competitive Examination or Indian University degree advocated, *Ledgard* - - - 42,479 (6)
Respectable birth and family should be essential qualifications, *Ledgard* - 42,479 (6), 42,530–1, 42,597–8
Rates, theoretical and actual, tables of, for United Provinces for years 1883–1912, *Burn* 44,866–7, p. 236

RECRUITS:
from the Better classes should be specially encouraged, *Shahid Husain* - - - 45,450
Have not deteriorated in quality under present system, *Piggott* - - - - - 47,599
are Made third-class magistrate at first, then second and, finally, first, and particulars, *Clay* 47,196, 47,198–200

RESTRICTION TO RESIDENTS:
Advocated, *Baillie*, 42,049, 42,121, 42,259–61; *Khushalpal Singh*, 43,044; *Sundar Lal*, 43,437; *Marris*, 43,930; *Sitla Prasad Bajpai*, 44,315–6, 44,376–80, 44,484–9; *Riza Ali*, 45,264, 45,275, 45,376–83; *Shahid Husain*, 45,451; *Sri Ram*, 45,605; *Sheo Prasad*, 46,269; *Moti Lal Nehru*, 46,486; *Natthi Mal*, 46,681; *Nabi-ullah*, 46,785; *Piggott*, 47,567.
Advocated with one exception, *Burn* - - 44,657
Advocated, with exceptions in case of such institutions as Aligarh College, *Muhammad Ali* 47,865, 48,078
Concession in case of sons of outsiders having served or serving in particular province, and to make up deficiences, *Sitla Prasad Bajpai* 44,315, 44,379, 44,381
Principle followed in recruitment now, *Lindsay* 48,394
Qualification, words quoted, *Burn* 44,657, p. 205, 207
Reciprocity in matters of, not objected to, *Sitla Prasad Bajpai* - - - - - 44,381
Residents should have preference before candidates from other provinces, *Abdul Majid* - 44,533
Rules, increase in strictness of, and particulars *re*, *Burn* - - - - - - 44,657, p. 207
Rules, *Burn* - - - - - p. 215–6, 44,657

RULES:
no Alterations advocated, but present conditions not satisfactory, *Saiyid Nabi-ullah* - 46,784, 47,030–2
by Local Governments should be subjected to previous sanction of Government of India, and reasons, *Sri Ram* - - - - - 45,603
Modification to admit only high classes of community advocated, *Natthi Mal* 46,679, 46,682, 46,705–7
not Satisfactory, *Moti Lal Nehru* - - 46,485
Substitution of phrases suggested for Condition I., *Sundar Lal* - - - - - - 43,435
Suitable, *Ledgard*, 42,479; *Sitla Prasad Bajpai*, 44,315; *Riza Ali*, 45,264; *Sri Ram*, 45,604; *Sheo Prasad*, 46,203; *Campbell*, 47,361; *Muhammad Ali*, 47,863; *Chaudhri Maharaj Singh*, 48,138.
Scheme, *Khushalpal Singh* - - - - 43,043

SELECTION:
Advocated, *Ledgard* - - - 42,589, 42,592–3
great Care necessary in, and reasons, *Sheo Prasad* 46,208
to Higher grades, enforcement not considered sufficiently stringent by deputy collectors, reasons and example, *Marris* 43,936–7, 44,271–5
from Men of good social standing and good family advocated, *Abdul Majid* - - - 44,532
for Services of family, nomination combined with competition advocated for, suggestions and reasons, *Sitla Prasad Bajpai* 44,320, 44,388–9
Semi-competitive qualifying examination advocated, and scheme, *Holland* - - 45,108, 45,118–21
Subordinate services should be encouraged, and scheme for keeping separate lists of these candidates and outside candidates, *Natthi Mal* 46,692, 46,708

Recruitment, P.C.S.—*continued.*
System different from I.C.S., and complaint *re*, *Muhammad Ali* - - 47,863, 47,942, 47,946, 48,010–1
Touting for testimonials and certificates goes on under present system, and disapproval of, *Sundar Lal*, 43,760–3; *Holland*, 45,108, 45,117.
(*see also under* Executive Branch, P.C.S., *and* Judicial Branch, P.C.S.)

Registrars:
of Co-operative Credit Societies (*see* Co-operative Credit Societies).
of Co-operative banks and joint stock companies, inclusion of, among listed posts, advocated, *Sundar Lal* - - - - 43,416, 43,794
Deputy, few appointed now, *Burn* - - - 45,013
of High Court (*see that title*).
of Judicial Commissioners' Court (*see under* Commissioners, Judicial).

Registration, Inspector-General of, listing of post advocated, *Sundar Lal*, 43,416, 43,790; *Sitla Prasad Bajpai*, 44,301; *Sri Ram*, 45,651.

Retirement, I.C.S.:
COMPULSORY:
Advocated for officers having earned full pension if not selected for posts above Rs. 2,250, and details, *Burkitt* - 45,894, 45,951–3, 46,088–99
no Alterations suggested, *Burn* - - - 44,656
at End of 25 years' service with pension of 1,000*l.* advocated, except in special cases, *Campbell* 47,360, 47,415–6, 47,452–4
Extension should be granted to men entering by separate examination, *Piggott* - - 47,512
Government should be empowered to retire any officer after he has earned his pension, *Piggott* 47,559
Right to remain on active service after 25 years' service should not be allowed, *Clay* - 47,114
Rules satisfactory, *Piggott* - - - 47,598
COMPULSORY FOR INEFFICIENCY:
Advocated, *Yusuf Ali*, 42,657, 42,823–7, 42,881–5; *Burn*, 44,656; *Burkitt*, 45,894, 45,903, 45,951, 45,955–9, 46,094–7; *Clay*, 47,054, 47,113; *Campbell*, 47,360; *Chaudhri Maharaj Singh*, 48,148; *Lindsay*, 48,274.
no Cases known of, *Sitla Prasad Bajpai* - 44,400
Difficulties *re*, and questions of minor importance, *Marris* - - - - - - - - 43,882
Rules suitable, *Marris* - - - - 43,918
more Thorough system of, advocated, with compensation if necessary, *Ledgard* 42,479 (3) (*c*)
EXTENSIONS OF SERVICE:
Loss of pension under, with present system, *Campbell* - - - - 47,360, 47,412
Pensions should be increased in proportion to, *Campbell* - - 47,360, 47,413–5, 47,450
Percentage of, and average rates of, particulars *re*, *Burn* - - - - - - - 44,649
60–62 not too old, *Sri Ram* - - - 45,645–6
VOLUNTARY:
no Alterations suggested, *Burn* - - - 44,656
After 25 years, allowed, *Campbell*, 47,448–9; *Lindsay*, 48,374.
Rules satisfactory, *Marris*, 43,918; *Piggott*, 47,598.

Retirement, P.C.S.:
COMPULSORY:
at 55 years, Recommended and reasons, *Sitla Prasad Bajpai* - - - - - 44,353
after 55 years of Age with 30 years' service, advocated, *Chaudhri Maharaj Singh* 48,150, 48,183–5
Rules not satisfactory, and disadvantages of, and promotion blocked by, *Sheo Prasad* - 46,241
COMPULSORY, FOR INEFFICIENCY:
Advocated, *Chaudhri Maharaj Singh* - 48,148
not Advocated, *Sitla Prasad Bajpai*, 44,330, 44,351, 44,397–9, 44,401–4; *Burn*, 44,659, 44,662.
Compassionate allowances advocated, *Baillie* 42,126
Less difficulty *re* than in I.C.S., *Marris* - 43,937
Rules satisfactory, *Marris* - - - - 43,960

Retirement, P.C.S.—*continued.*
EXTENSION:
should not be Allowed after 35 years' service, or at age of 55 after 30 years' service, *Sheo Prasad* 46,241, 46,290–5
Complaints *re* frequency of, *Marris* - - 43,960
Freely given in recent years, *Burn* 44,659, p. 210
RULES:
Particulars *re*, *Sheo Prasad* - 46,241, 46,290–4
Suitable, *Burn* - - - - - - - 44,662
VOLUNTARY:
Reduction of period from 30 years' service to 25 years' advocated, *Sitla Prasad Bajpai*, 44,353; *Sri Ram*, 45,853; *Sheo Prasad*, 46,238, 46,386, 46,431.
Rules satisfactory, *Marris*, 43,960; *Sheo Prasad*, 46,241.
(*see also under* Executive Branch, P.C.S.)

Revenue, Board of (*see* Board of Revenue).

Revenue Cases:
Particulars, *Baillie*, 42,093, 42,227, 42,340; *Burn*, 44,651; *Riza Ali*, 45,264.
not much Work on, for judges, *Sheo Prasad* - 46,418

Revenue Department, increase of work in, *Sheo Prasad* 46,222

Revenue Officers, recruitment by competition advocated for, and scheme, *U.P. Congress Committee* 43,191

Riza Ali, Syed, B.A., LL.B., evidence of 45,260–410

S.

Sanskrit (*see under* Syllabus *under* I.C.S. Examination, and *under* Course of Study *under* Probation).

Scholarships for Indians in England:
not Advocated with reduced age limit, and would not fit in with proposed schemes, *Burn* 44,999–501
Age, 20–22 suggested and younger not advocated, *Sundar Lal* - - - - - 43,531–3
Cases, particulars *re* passes and failures in I.C.S. examination after, *Yusuf Ali* - - 42,779–81
EXTENSION OF SYSTEM:
Advocated and schemes, *Yusuf Ali*, 42,689–700, 42,727–34; *Sitla Prasad Bajpai*, 44,314; *Shahid Husain*, 45,432; *Sheo Prasad*, 46,195, 46,249–52; *Moti Lal Nehru*, 46,446, 46,449, 46,496–8, 46,502–4, 46,608–11; *Clay*, 47,072, 47,302–5.
not Advocated, and would be very small relief, and examples and difficulties, *Sundar Lal* 43,524–30
at 14, advocated for course at English Public School, and scheme, *Yusuf Ali* - 42,729–34, 42,933–7
Method of selection of candidates, and satisfaction given by, *Sundar Lal* - - - 43,711–6
no Objection to, but waste owing to large number of failures anticipated, *Baillie* 42,356–7, 42,359
Parents of boys obtaining scholarships not likely to object to sending sons to England if under supervision of Secretary of State, *Yusuf Ali* - 42,732
Particulars *re* successful candidates, *Sundar Lal* 43,717–23
not so Satisfactory as simultaneous examination, *Malaviya* - - - - - - - - 43,161
Scheme for unsuccessful candidates entering P.C.S. or Educational Department not approved, *Baillie* 42,360
Two given, by rotation to different universities, and held by graduates, *Yusuf Ali* - - 42,782–3

Scientific and Technical Departments, growth outside Indian Civil Service, *Yusuf Ali* - - - 42,677

Secretaries:
Appointment of Indians of good family to, advocated, *Abdul Majid* - - - - - - 44,560
ASSISTANT, two posts as, held by Indians, *Sri Ram* 45,651
CHIEF, pay, *Burn* - - - - - - p. 201, 202
FINANCIAL:
Correction respecting list referring to, *Burn* 44,649
Indian should be eligible to hold post of, *Riza Ali* 45,264
Pay, particulars and suggestions, *Burn* - 44,654

Secretaries—*continued.*
Grading with magistrates and judges objected to and special pay should be given, *Clay* 47,101, 47,105
JUDICIAL:
Correction *re* list referring to, *Burn* - 44,649
Indian should be eligible to hold post of, *Riza Ali* 45,264
Pay, particulars and suggestions, *Burn* - 44,654
to Local Government, listing of one post, advocated, *Sundar Lal* - - - - - - - 43,416
Monopoly of an inner circle of European members of I.C.S., *Muhammad Ali* - - - - 47,862
Reservation of posts for I.C.S. advocated, *Malaviya* 43,172
UNDER SECRETARYSHIPS:
Listing of posts advocated, *Khushalpal Singh*, 43,009; *Sitla Prasad Bajpai*, 44,301; *Sri Ram*, 45,651, 45,846; *Sheo Prasad*, 46,221.
Pay and number, *Burn* - - - p. 201, 202
one Post in each province listed, but none have been given to Indians, *Muhammad Ali* - 47,832
Recommended as listed posts by Commission of 1886–7 and suggestion for recruitment, *Chaudhri Maharaj Singh* - - - - - 48,144
(*see also* Board of Revenue, Finance Department, &c.)

Secretary of State, increasing administrative intervention, *Yusuf Ali* - - - - - 42,677

Separate Cadre for Indians (*see under* Indians).

Separate Examinations:
Advocated, and schemes, *Riza Ali*, 45,263, 45,281, 45,283–91, 45,368–70; *Piggott*, 47,502–3, 47,512, 47,518, 47,532, 47,536, 47,539–40, 47, 542, 47,552, 47,612–20, 47,636, 47,680–1, 47,695–7; *Muhammad Ali*, 47,819, 47,821, 47,845, 47,849, 47,881–93, 47,948–57, 47,980–92, 48,005, 48,016–26, 48,081–6.
Advocated if simultaneous examination not granted, *Sri Ram* - - - 45,567, 45,568, 45,626–8
not Advocated, and reasons, *Baillie*, 42,051, 42,263–6, 42,351, 42,353; *Ledgard*, 42,479; *Yusuf Ali*, 42,611; *Malaviya*, 43,162; *Sundar Lal*, 43,397; *Marris*, 43,825; *Sitla Prasad Bajpai*, 44,291, 44,293; *Abdul Majid*, 44,500; *Holland*, 45,094, 45,195–200; *Sheo Prasad*, 46,196; *Moti Lal Nehru*, 46,447; *Natthi Mal*, 46,644; *Nabi-ullah*, 46,751, 46,753, 46,804; *Clay*, 47,060.
Age limit, 23–25, advocated, at close of university career, but 21–24 might do, *Piggott* - 47,503, 47,512, 47,617, 47,660–2
Distinction between P.C.S. and I.C.S. should not be brought in, in case of adoption of, *Riza Ali* 45,401
Nomination coupled with, not advocated, *Riza Ali* 45,285
PROBATION:
Course of study:
Differentiation from open competition candidates not advocated, *Piggott* - 47,540, 47,542
Suggestions for, *Piggott*, 47,539; *Muhammad Ali*, 47,854.
Part should be spent in India, *Muhammad Ali* 47,854
Two years in England at approved University advocated and scheme, *Riza Ali*, 45,263, 45,273, 45,292–3, 45,325–8; *Piggott*, 47,503, 47,532, 47,536, 47,540.
Two years at Oxford or Cambridge advocated, and particulars *re*, *Muhammad Ali* 47,845, 47,854, 47,985, 48,052–3
IN EACH PROVINCE:
less Objectionable than for whole of India, but not advocated, *Burkitt* - 45,863, 45,922, 46,001
for Whole of India preferred, but this preferred to nothing at all, *Piggott* - - 47,614, 47,695–7
Reservation of certain number of posts for backward communities under, *Muhammad Ali* 47,819, 47,821, 47,881, 47,885, 47,948–57, 48,016–26, 48,081–6
Reservation of 20 per cent. posts for Indians by, increasing automatically every year, and scheme, *Muhammad Ali* 47,821, 47,883–5, 47,948–57, 47,986
Result of, with regard to period of promotion identical with result of proposed extension of listed posts, *Baillie* - - - 42,194–5, 42,324–5

Separate Examinations—*continued.*
only Small proportion of Indians likely to succeed under, *Muhammad Ali* - - - - 47,981
Training, same as for candidates entering by open competition advocated, *Piggott* - - - 47,552

Sessions Judge (*see* Judge, Sessions).

Settlement Officers:
ASSISTANT:
Correspond approximately to grade of Joint Magistrates, *Clay* - - - - - - - 47,195
Listing of post advocated, and suggestion, *Chaudhri Maharaj Singh* - 48,144, 48,221–3, 48,225
Merged in general cadre of Deputy Collectors, and no gain by, and scheme *re*, *Sheo Prasad* - 46,222
Promotion of, recruited from P.C.S. advocated if men sufficiently competent, *Chaudhri Maharaj Singh* - - - - - - 48,144, 48,222
Two posts of, listed in Agra and Oudh, *Sri Ram* 45,582
Charge of district should be held by senior, and difficulties *re* appointments, *Baillie* - 42,170–3
Eight years' service necessary before becoming, *Baillie* 42,280
LISTING OF ONE POST AS:
Advocated, *Khushalpal Singh* - - - 43,009
might be Practicable, *Sundar Lal* - 43,789–90
Men of 10 to 12 years' standing desirable as, *Baillie* 42,168–74
Number, particulars *re*, and pay drawn by, *Burn* p. 201, 44,722–6, 44,886–7
Posts occupied by men of 10 to 12 years' standing who should be occupying superior posts, *Yusuf Ali* 42,705–7

Shahid Husain, Shaikh, B.A., LL.B., evidence of 45,411–562

Sheo Prasad, evidence of - - - - 46,192–440

Sikhs, administrative capacity, and reservation of posts for, advocated, and scheme, *Muhammad Ali* 47,819, 48,038, 48,082–5

Simultaneous Examination:
Advocated and schemes, *Malaviya*, 43,158, 43,161, 43,211–23, 43,242–53, 43,284–7, 43,293, 43,316–9, 43,326–8, 43,392; *U.P. Congress Committee*, 43,189, 43,191; *Sundar Lal*, 43,396, 43,410, 43,455–6, 43,505–14, 43,543–5; *Holland*, 45,093, 45,106, 45,134–7, 45,140–4, 45,148, 45,162–6, 45,175–87, 45,203–25, 45,242–51; *Shahid Husain*, 45,415, 45,467, 45,471–81; *Sri Ram*, 45,565–6, 45,568, 45,622–3, 45,653; *Nabi-ullah*, 46,746–7, 46,749–50, 46,752, 46,797–8, 46,805–19, 46,824–6, 46,851–72, 46,966–82, 46,992–4.
Advocated by Committee appointed by Secretary of State after Proclamation of 1858, *Malaviya*, 43,158; *U.P. Congress Committee*, 43,189.
Advocated for Judicial branch but not for Executive, *Khushalpal Singh* - - - - 43,005–6
Advocated if no other scheme for facilitating admission of Indians to service devised, *Moti Lal Nehru* 46,446, 46,449, 46,495–7, 46,502–6, 46,511–2, 46,532–3, 46,598–602, 46,606–11
not Advocated, and reasons, *Baillie*, 42,049, 42,297–319, 42,351; *Ledgard*, 42,479; *Marris*, 43,822–4, 44,211–6; *Burn*, 44,369, 44,971–4; *Abdul Majid*, 44,499, 45,598–9; *Riza Ali*, 45,263, 45,281–2; *Burkitt*, 45,861, 45,922: *Sheo Prasad*, 46,195, 46,247–8; *Natthi Mal*, 46,643, 46,697; *Clay*, 47,058, 47,286–7; *Piggott*, 47,500–1, 47,620; *Muhammad Ali*, 47,979.
not Advocated at present, and reasons, *Yusuf Ali*, 42,609, 42,688, 42,827–9, 42,838, 42,878–80, 42,982–7; *Sitla Prasad Bajpai*, 44,289, 44,293, 44,358–60.
Class representation, effect of examination on, *Riza Ali*, 45,313, 45,345; *Clay* 47,058.
Common list for all candidates desired, *Malaviya*, 43,328; *Sundar Lal*, 43,545–7.
Cost not of real importance, *Malaviya* - - 43,217
EXAMINATION PAPERS:
Leakage of, feared, *Yusuf Ali* - - - 42,609
No difficulty *re* secrecy anticipated, *Malaviya*, 43,161; *U.P. Congress Committee*, 43,189.

Simultaneous Examination—*continued.*
Effect on education, question of, *Malaviya*, 43,161, 43,248–53; *Sundar Lal*, 43,554, 43,557–9; *Burn*, 44,972; *Holland*, 45,093, 45,140–4, 45,166, 45,175, 45,179–80, 44,192, 45,195–200, 45,208–14, 45,218–21.
Establishment of, in India, would necessarily allow establishment in other centres of British Empire also, if adequate demand made for, *Clay* - 47,059
Fair system of, not possible, *Clay* - - 47,286–7
INCREASE OF INDIAN ELEMENT:
Anticipated, *Baillie*, 42,049, 42,297, 42,299–306; *Yusuf Ali*, 42,609; *Sundar Lal*, 43,506, 43,605–8
no Limit to, *Holland* - - - - - 45,145
Number of Indians aspiring to enter I.C.S. would be increased, but number coming to Europe would be greatly diminished, *Clay* - 47,058, 47,072
Service would be swamped by Indians, *Shahid Husain* - - - - - 45,415, 45,469
Service would not be "swamped with Indians," *U.P. Congress Committee*, 43,189; *Malaviya*, 43,161, 43,219, 43,325, 43,392; *Sundar Lal*, 43,396, 43,458, 43,511–4.
Increase of admission advocated, and local examinations suggested, but not immediately, *Marris* 43,820, 43,824
many Indians would fail at first, and great disappointment would result from, *Clay* - 47,058
Injustice would not be done to backward communities by, *U.P. Congress Committee* - - 43,189
Intellectual result bound to be most important factor of, decision, but not the most important feature of recruitment, *Holland* 45,189, 45,214–7
Introduction of, would detract from attractiveness of Service to Englishmen, *Holland*, 45,107; *Riza Ali*, 45,263.
Nomination and selection should be introduced in connection with, *Khushalpal Singh*, 43,061–2; *Shahid Husain*, 45,415, 45,467–9; *Saiyid Nabi-ullah*, 46,746, 46,749, 46,797–8, 46,806–19, 46,824–6, 46,851–72, 46,966–82.
Number of candidates, 30 or 40 anticipated immediately, and large increase later, *Yusuf Ali* 42,895
Opinions of statesmen and others *re*, *Sundar Lal* 43,396
Oral examination, no difficulty anticipated *re*, and details, *Sundar Lal* - - 42,548–52, 43,603–4
Preparation of Indians for, difficulties *re*, and suggestions, *Holland* - - - 45,190–2
PROBATION:
Appointment into Service would depend upon examination at end of, *Moti Lal Nehru* 46,513
Course of study, suggestions, *Saiyid Nabi-ullah* 46,770; 46,936
in England:
not Essential for all candidates successful in India under, *Holland* - - - - 45,235
Indians should be introduced into good English society and learn English point of view, and reasons, *Saiyid Nabi-ullah* - 46,770, 46,935, 46,938, 46,962–5
not Necessary, *Malaviya* - 43,161, 43,331–7
Three years advocated, *Moti Lal Nehru* 46,446, 46,509–10
at University for two years, with State scholarship, advocated, *Sri Ram* - 45,566, 45,623
Refusal to grant, construed by some Indians as fear on part of Europeans to meet them on level terms, *Holland* - - - - - - 45,093, 45,178
Scheme for selection of candidates from among successful competitors in England and India, proportion, &c., *Holland* 45,092, 45,162–5, 45,188, 45,203–7, 45,247–51, 45,255
SYLLABUS:
on Present lines, not advocated, and suggestions, *Holland* - - - - - - - 45,197–200
Similar to that of I.C.S. examination advocated, but of lower standard, reasons, and scheme, *Moti Lal Nehru* - 46,446, 46,449, 46,498, 46,505, 46,511–2, 46,600–2
could be Worked with an irreducible minimum of Europeans, and plan, *Khushalpal Singh* - 43,093

Singh, Rai Bahadur Chaudhri Maharaj, evidence of 48,138–270

Singh, Raja Khushalpal, M.A., LL.B., evidence of 43,001–156

Sitla Prasad Bajpai, Pandit, evidence of - 44,283–493

Small Cause Court Judges (*see* Judges, Small Cause Court).

Sri Ram, Rai Bahadur, C.I.E., evidence of 45,563–855

Statutory Civilians:
Delay in appointment of members of P.C.S. to listed posts due to supposed superiority of, and dissatisfaction *re*, *Sitla Prasad Bajpai* 44,300, 44,332
Districts held by some, *Campbell* - - - 47,419
Failure of system, causes of, *Yusuf Ali*, 42,612, 42,625; *Abdul Majid*, 44,590–3, 44,616; *Riza Ali*, 45,268; *Clay*, 47,060; *Campbell*, 47,356, 47,438, 47,490.
History and particulars *re*, *U.P. Congress Committee*, 43,189; *Riza Ali*, 45,268; *Muhammad Ali*, 47,832.
LEAVE RULES:
Separate from I.C.S., not advocated, *Natthi Mal* 46,678
Similar to I.C.S. rules, advocated, *Shahid Husain* 45,448
Number of, in United Provinces, and particulars *re* appointments, *Yusuf Ali*, 42,764; *Sitla Prasad Bajpai*, 44,300; *Burn*, 44,644; *Sri Ram*, 45,583, 45,706–8.
PAY:
Equal to I.C.S. advocated, *Marris*, 43,897; *Abdul Majid*, 44,531, 44,636–8; *Sri Ram*, 45,602, 45,613, 45,655–6, 45,682–4; *Saiyid Nabi-ullah*, 46,781, 46,792; *Muhammad Ali*, 47,859.
Two-thirds Rule:
not Approved, and three-fourths advocated if present system retained, *Burn* - - 44,653
some Distinction should be made, but not so great as at present, *Natthi Mal* - 46,677, 46,689
Three-fourths advocated, *Moti Lal Nehru* 46,483, 46,492
PENSIONS:
no Alterations suggested, *Burn* - - 44,656
Amount fixed for, *Sheo Prasad* - - - 46,240
Rules suitable, *Marris* - - - - 43,919
Promotion at much same time as Europeans under, *Baillie* - - - - - - - - 42,144
REVIVAL:
Advocated, and scheme, *Khushalpal Singh* 43,005, 43,009, 43,020, 43,031, 43,035, 43,042, 43,062–5, 43,085, 43,088–91, 43,114, 43,123, 43,128, 43,141–4
Advocated if scheme for nomination of Indians not adopted, and arrangements, *Abdul Majid* 44,513, 44,588–93, 44,617
not Advocated, *Baillie*, 42,066, 42,345–6; *Ledgard*, 42,479; *Yusuf Ali*, 42,625; *Malaviya*, 43,175; *Sundar Lal*, 43,411, 43,566; *Marris*, 43,842; *Sitla Prasad Bajpai*, 44,299, 44,434–8; *Burn*, 44,642, 44,979–81; *Riza Ali*, 45,268; *Shahid Husain*, 45,425; *Sri Ram*, 45,581, 45,705–6; *Sheo Prasad*, 46,199, 46,208, 46,341–3; *Moti Lal Nehru*, 46,461; *Natthi Mal*, 46,658; *Saiyid Nabi-ullah*, 46,763; *Piggott*, 47,519; *Muhammad Ali*, 47,835.

Statutory Regulations (reservation of certain posts for I.C.S.):
Approved for certain posts, *Baillie*, 42,062; *Khushalpal Singh*, 43,017; *Malaviya*, 43,172; *Sundar Lal*, 43,408; *Marris*, 43,839, 44,207–8; *Abdul Majid*, 44,511, 44,559, 44,561–2; *Burn*, 44,642; *Moti Lal Nehru*, 46,458; *Natthi Mal*, 46,655; *Clay*, 47,071; *Muhammad Ali*, 47,832, 47,909–16, 47,958–61, 47,993–9.
not Approved, *Riza Ali*, 45,267; *Shahid Husain*, 45,423; *Sri Ram*, 45,578, 45,695–8, 45,773–6; *Saiyid Nabi-ullah*, 46,760, 46,881–4.
not Approved, and reasons, but sudden change might impair efficiency of I.C.S., *U.P. Congress Committee* 43,197

Sub-divisional Officers:
European, required for certain districts, list and reason, *Clay* - - - - - - - - 47,072
Increase in work of, during last few decades, *Sheo Prasad* - - - - 46,232, 46,278, 46,280
Overworked, reasons and particulars, *Chaudhri Maharaj Singh* - - - 48,143, 48,238–40
Place in warrant of precedence and right to employ certain clerks at Rs. 30, something might be done *re, Muhammad Ali* - - - - - - 48,134

Subordinate Judges (*see* Judges, Subordinate).

Subordinate Magistrates (*see under* Magistrates).

Subordinate Service, importance of, and extent of recruitment to P.C.S., *Baillie* - - 42,209–11 (*see also* Tahsildars *and* Tahsildars, Naib).

Sundar Lal, Dr., Rai Bahadur, B.A., LL.B., C.I.E., evidence of - - - - - - - - 43,393–816

Superintendent, Dehra Dun:
Pay of, *Burn* - - - - - - - - p. 201
European required as, reason, *Clay* - - 47,072

Superior posts (*see under* Conditions of Service, I.C.S.).

Symbolism, loved by Indians, and should be used more for purposes of administration, and suggestions, *Marris* - - - - - - - - - 43,884

T.

Tahsildars:
Age-limit, fair chance of rising to top grade not given by, *Baillie* - - - - - 42,464–5
Characteristics and temptations of, *Marris* 43,929, 44,270
should not be Confirmed as Deputy Collectors until they have passed the departmental examination, and been favourably reported on by District Officer, *Sheo Prasad* - - - - - - - 46,211
Few appointed now, *Burn* - - - - 45,013
Importance of functions of, and prospects should be improved, *Chaudhri Maharaj Singh* - 48,197–9
Number, *Chaudhri Maharaj Singh* - - 48,201
Officiating promotion given to, by District Officers when Deputy Collectors took short leave, but system done away with in 1903, *Sheo Prasad* 46,232, 46,287, 46,301–2, 46,397–400
Officiating promotion should be given to, during absence on short leave of P.C.S. officers, scheme, *Sheo Prasad* - - - - - 46,232, 46,287–8

PAY:
Inadequate in Agra and Oudh, and increase advocated, *Khushalpal Singh* - - - 43,050
Increase advocated, and reasons, *Baillie* - 42,272
Particulars *re, Chaudhri Maharaj Singh* 48,202–4

PROMOTION:
to Deputy Collectorships, *Sundar Lal* - 43,436
to Munsifs, particulars *re*, in Oudh, *Sitla Prasad Bajpai* - - - - - - - - 44,318
to P.C.S.:
Advocated and reasons, and careful selection should be made in, *Burn* - - - 44,657
Difficulties *re* subsequent recruitment of I.C.S. from P.C.S., and period of delay, *Baillie* 42,207–9
75 per cent. or 80 per cent. recommended if honesty and education could be relied upon, and suggestion, *Marris* - - - 43,929, 44,272
Temporary, means pecuniary loss to, and remedy suggested, *Sheo Prasad* - - - - 46,232
Recruitment for P.C.S should be mainly from among, *Baillie* - - - - - 42,120, 42,206
Reduction in number promoted to posts of Deputy Collector might have bad effect on recruitment to, particulars *re, Chaudhri Maharaj Singh* 48,193–9
Training, best in P.C.S., and details, *Marris* - 43,932
Travelling allowances, second class advocated for, *Khushalpal Singh* - - - - - 43,053

Tahsildars, Naib:
Difficulty *re* obtaining good recruits as, *Chaudhri Maharaj Singh* - - - - - - - 48,200
Direct recruitment of, as field of preliminary recruitment for P.C.S., system a failure, and particulars, *Sheo Prasad* - - - - 46,208
Nominated candidates for P.C.S. examination, who have failed to pass, might be selected to fill proportion of vacancies among, *Chaudhri Maharaj Singh* - - - - - - - 48,140, 48,194

PAY:
not Adequate, *Baillie* - - - - 42,422
Increase of, would encourage better class of candidates, *Baillie* - - - - - 42,272–4
Rs. 1 per day advocated, *Khushalpal Singh* 43,053

PROMOTION TO P.C.S.:
Advocated, and careful selection should be made, *Burn* - - - - - - - - 44,657
increase Advocated, *Baillie* - - - 42,120
at 21, Advocated and should be a Deputy Collector at 25, *Sheo Prasad* - - - 46,359
Value of training as, and steady flow of promotion advocated for, *Baillie* - - - - 42,422

Technical Departments, growth outside I.C.S., *Yusuf Ali* - - - - - - - - - 42,677

Training, I.C.S.:
DEPARTMENTAL EXAMINATION:
Abolition:
Desired, and reasons, but not possible under present system, *Lindsay* - 48,272, 48,304–5, 48,308
Difficulty *re, Clay* - - - - - 47,221
nearly all Junior Civilians would pass after one year's service if scheme for training adopted, *Clay* - - - - - - - - 47,089
Accounts, simple examination in should be sufficient, *Lindsay* - - - - - - - 48,272
Arrangements suitable, *Ledgard*, 42,479; *Yusuf Ali*, 42,644, 42,954.
Burdensome and profitless, and suggestions for improvement, *Marris* - - 43,866–7, 43,877
Description of, and importance attached to, *Burn* 44,646

Law:
Civil law recently introduced into, particulars *re, Clay* - - - 47,187–92, 47,348–52
Civil law, introduction of, not advocated, *Burkitt* 45,886
Details of, *Burn* - - - - - 44,648
Law and legal principles should have greater prominence in, *Sundar Lal* - 43,426, 43,801–5
Raising of standard of law, not advocated unless examination made as stiff as LL.B., *Khushalpal Singh* - - - - - - 43,149–50
Objected to, but necessary, *Piggott* - - 47,544
Passed during first two years of service, and list of officers, *Burn* - - - - - - - 44,649
Recently revised, and no alterations suggested, *Burn* - - - - - - - - 44,646
Satisfactory, *Baillie*, 42,085; *Clay*, 47,090; *Piggott*, 47,570.
Unpopular, but all civilians should be able to get through without undue fatigue, *Clay* - 47,220
Vernaculars:
Colloquial test in vernacular of province, should be sufficient after three years' probation in England, *Lindsay* - 48,272, 48,306–10
advanced Hindustani, additional examination for all members in, after five years' service, advocated, *Moti Lal Nehru* - - - 46,475
Standard should be raised, *Riza Ali*, 42,569; *Khushalpal Singh*, 43,034; *Shahid Husain*, 45,439.
Test, stringent one, *Piggott* - - - 47,545
Test stiffened during recent years, *Burn* - 44,647
Description of, *Clay* - - - - - 47,210–4

DIFFERENTIATION:
not Advocated, *Riza Ali*, 42,572, 42,574; *Yusuf Ali*, 42,651–2; *Khushalpal Singh*, 43,037–8; *Sundar Lal*, 43,427, 43,429; *Marris*, 43,874, 43,876; *Abdul Majid*, 44,529; *Shahid Husain*, 45,441, 45,443; *Sri Ram*, 45,596, 45,598; *Burkitt*, 45,891; *Moti Lal Nehru*, 46,479; *Nabi-ullah*, 46,778; *Piggott*, 47,551, 47,553.

Training, I.C.S.—*continued.*
DIFFERENTIATION—*continued.*
not Advocated, but Indians should be placed under members of their own community, *Muhammad Ali* - - - - - - - - 47,853
Eurasians and Europeans who are Natives of India should be on same footing as natural-born subjects, *Moti Lal Nehru* - - - - 46,480
in India, practical training and revenue work necessary, *Natthi Mal* - - - - - 46,669
Indians, suggestions, and advantages for, *Sitla Prasad Bajpai* - - - - - - 44,447–8
Period, long, but no alteration suggested, *Burn* 44,649
Present system satisfactory, and particulars *re*, *Burn*, 44,646, 44,711–3; *Burkitt*, 45,885; *Piggott*, 47,538, 47,543.
Probationers should be trained in Province to which they are assigned, *Moti Lal Nehru* - 46,472
Reserve, percentage, *Burn*, p. 200; *Muhammad Ali*, 48,087.
under Senior Deputy Collector suggested, and results would be excellent, *Muhammad Ali* - 48,132–3
Special, provided in two cases, and particulars and extension suggested, *Burn* - - - 44,646
AFTER TAKING UP APPOINTMENT IN INDIA:
Attachment of Junior Civilians to various senior officers in Executive and Judicial and other outside Government officials, advocated, *Moti Lal Nehru* - - 46,473–4, 46,479, 46,545–6
Attachment of young Civilians to Native Regiment for one or two years after appointment, advocated, and reasons, *Ledgard* - 42,479(4) (*b*), 42,573–6
Course of instruction by Provincial Governments: Advocated to some extent, and scheme, *Sundar Lal* - - - - - - - 43,423–4
not Advocated, *Moti Lal Nehru* - - 46,473
Improvements on present system suggested, and schemes, *Clay*, 47,089, 47,211, 47,222–3; *Muhammad Ali*, 47,848, 47,853.
Junior Civilians usually placed under senior member for about a year after joining, particulars, *Sundar Lal* - - - - 43,419
Junior Civilians should be placed under capable and efficient officers before being posted to any district, *Natthi Mal* - - - - 46,670
Munsifs' work should be compulsory part of, *Saiyid Nabi-ullah* 46,754, 46,776–7, 46,907–13, 47,007–13, 47,044, 47,047–9
Satisfactory on the whole, *Baillie*, 42,084; *Yusuf Ali*, 42,643; *Saiyid Nabi-ullah*, 46,774; *Campbell*, 47,359; *Lindsay*, 48,272.
not Satisfactory, and scheme, *Sundar Lal*, 43,424; *Marris*, 43,866, 43,877, 44,000–3, 44,044–7, 44,169; *Sri Ram*, 45,591–2.
Scheme for, under selected magistrate at one centre, and particulars and advantages of, *Clay* 47,089, 47,131, 47,133, 47,181–5, 47,222–30, 47,248–50, 47,259
Special, not advocated, *Ledgard* - 42,479 (4) (*b*)
(*see also under* Executive Branch, I.C.S., *and* Judicial Branch, I.C.S.)

Training, P.C.S.:
DEPARTMENTAL EXAMINATION:
Law would be unnecessary for, if law degree made condition of entrance, *Sundar Lal* - 43,436
not Practical enough, and suggestions, *Marris* 43,933
on Same lines as those for I.C.S., *Clay* - 47,197
Satisfactory on the whole, but rules about exemption require revision, and suggestions, *Sheo Prasad* - - - - - - - - 46,212
Suitable, and details, *Baillie*, 42,124; *Burn*, 44,658.
Recruits from subordinate services do not require much, *Chaudhri Maharaj Singh* - - 48,142
RESERVE:
Method of obtaining, *Sitla Prasad Bajpai* - 44,327
None, except for two probationary Munsifs, *Piggott* 47,574, 47,737
Satisfactory, *Baillie*, 42,123; *Sundar Lal*, 43,439; *Marris*, 43,932; *Shahid Husain*, 45,453; *Sri Ram*, 45,607; *Saiyid Nabi-ullah*, 46,787.
not Satisfactory, and alterations suggested, *Khushalpal Singh*, 43,046; *Natthi Mal*, 46,683.
Suggestions for, *Chaudhri Maharaj Singh* - 48,142
(*see also under* Executive Branch, P.C.S.)

Training, P.C.S.—*continued.*
Transfers, I.C.S.:
Excessive, cause of, *Marris* - - - - 43,907
Expenses of, and suggestion *re*, *Clay* p. 462–3, 465
Frequent transfers not a glaring evil, but might be fewer, *Yusuf Ali* - - - - - 42,769
Hardships attending, and Government impeded by, knowledge of, *Marris* - - - - 43,898
Loss on, *Lindsay* - - - - - - - 48,468
Transfers, P.C.S.:
Expense of, and loss incurred by, and frequency of, owing to leave, *Burn* - - - - - 44,661
Expenses of, very heavy, *Marris*, 43,948, 43,954; *Sheo Prasad*, 46,396.
Loss on, *Lindsay* - - - - - - - 48,468
Travelling Allowance (*see under* Pay).

U.

Uncovenanted Service, particulars *re*, *Burn* - 44,657
Uncovenanted Service Family Pension Fund, number of officers subscribing to, *Burn* - - - 44,662
Under Secretaries (*see under* Secretaries).
United Provinces, officers serving in certain hill districts should get equal pay with officers serving in plains, and particulars *re* expenses of, *Campbell* - 47,357, 47,401–7
United Provinces Congress Committee, memorandum relating to Indian and Provincial Civil Services 43,188–205
Universities:
Age of graduation varies in, *Yusuf Ali* - 42,931–3
Approximate number of B.Sc. and B.A. passes in a year, *Sundar Lal* - - - - - 43,645–6
B.A. DEGREE:
Importance of Indian candidate taking, and value of degree taken increases with higher stages, *Holland* - - - - - - - 45,252–4
Lowering of standard to admit Indians to Indian Examination at earlier age would be objected to, *Saiyid Nabi-ullah* - - - - - 46,829–30
Reading of greatest value in course, and particulars *re*, *Burn* - - 44,811–2, 44,816–8
Standard pretty much same in all, *Sri Ram* 45,714–5
Taken between ages of 20 to 22 and should with B.Sc. be taken as minimum qualification for simultaneous examination, *Sundar Lal* 43,472–4
Test of liberal education, and particulars *re*, *Saiyid Nabi-ullah* - - 47,034–5, 47,038, 47,041
Two centres for examination, *Sundar Lal* - 43,696
Course at, desired, before entrance for I.C.S. examination and particulars *re*, *Clay* - 47,064, 47,069, 47,119–28, 47,134
Efforts to popularise Science degree, and no one allowed to take LL.B. degree before taking B.A. or B.Sc., *Sundar Lal* - - - - 43,634–6
IN ENGLAND:
Course of education for Indians at, after taking B.A. degree, desirable if money no object, *Saiyid Nabi-ullah* - - - - 46,948–9
Education and influences at, valued highly, *Marris* 44,063
Full course at, not essential, *Lindsay* - 48,271
Indians do not have such good chances in as formerly, *Saiyid Nabi-ullah* - - 46,944–7
Probation at (*see under* Probation).
HOSTEL SYSTEM:
Importance of, and development, and number of students living under, *Sundar Lal* 43,061–2, 43,647–8
Particulars *re*, *Malaviya* - - - 43,376–80
Importance of taking course at, and three years should be spent at English, and four at Indian, before entrance for Indian Examination, and probation should be sacrificed to, if necessary, *Saiyid Nabi-ullah* - - 46,833–7, 46,923, 46,927
Indian languages should be more largely taught in, *Riza Ali* - - - - - 45,330, 45,341–2
LL.B. degree, particulars *re*, *Saiyid Nabi-ullah* 47,034–5
Men from, do not often go into business, *Ledgard* 42,510

Universities—*continued.*
Residential, on model of English universities, desired, *Malaviya* - - - - - - - 43,377 8
Same standard maintained in all, as far as possible, and details, *Sundar Lal* - 43,568 71, 43,639–43
Steps taken by, for development of character and physique of Indian students, *Sundar Lal* 43,597–602
Study of vernaculars should be strengthened in, *Saiyid Nabi-ullah* - - 46,932, 46,936, 46,941
Training and education in, as good as Indian student would get in England, and sufficient to compete in open competition in India, and details, *Sundar Lal* - - - 43,396, 43,470-1, 43,553, 43,637

Upper India Chamber of Commerce:
Evidence on behalf of - - - - 42,479–602
Particulars *re* members' work, &c., *Ledgard* 42,482–3, 42,526

Urdu, political onslaughts on, and disadvantage to Muhammadans, particulars *re*, *Muhammad Ali* 47,819, 47,962–5

V.

Vakils: particulars *re* work and functions of, *Burkitt* 46,114–7

Vernaculars:
Adequate proficiency attained in, by members of I.C.S., *Sundar Lal*, 43,425; *Campbell*, 47,359.
Adequate proficiency in, not attained by European members of I.C.S. and P.C.S., and particulars, &c., *Baillie*, 42,086; *Moti Lal Nehru*, 46,475, 46,555–7, 46,581–3,4 6,616–20; *Natthi Mal*, 46,671, 46,728; *Nabi-ullah*, 46,775, 46,997 7006; *Piggott*, 47,545; *Muhammad Ali*, 47,849, 47,924–31, 48,060, 48,130.
Average period for passing test in, and test too low, suggestions, *Marris* - - - - 44,224–8
Better training in, desired, *Muhammad Ali* 47,930–1
Degrees of Honour and High Proficiency, no value attached to, *Moti Lal Nehru* - - - 46,616
Difficulty of pronunciation for Europeans, *Moti Lal Nehru* - - - - - - - 1 [illegible]

DETERIORATION:
Alleged by educated Indians for most part, *Burn* 44,647
Causes of, particulars *re*, and remedies, *Khushalpal Singh*, 43,034, 43,145–6, *Sunda Lal*, 43,425; *Marris*, 43,868–9, 44,226–8, *Abdul Majid*, 44,526, 44,563–5; *Riza Ali*, 45,264, 45,269, 45,343–8; *Shahid Husain*, 45,439; *Sri Ram*, 45,592; *Moti Lal Nehru*, 46,475; *Natthi Mal*, 46,671, 46,735; *Nabi-ullah*, 46,775, 46,924; *Piggott*, 47,545; *Muhammad Ali*, 47,849, 48,062.

Vernaculars—*continued.*
DETERIORATION—*continued.*
None, *Baillie*, 42,086, 42,474; *Yusuf Ali*, 42,645, 42,701–3; *Campbell*, 47,359.
None, but period taken in acquiring knowledge longer now, and reason, *Burn* - - 44,647
Efficiency a great advantage to English civilian, and reasons, *Lindsay* - - - - 48,335 6
Evidence in court taken down in, by young Civilians, but little knowledge of, outside courts, *Sri Ram* 45,592
Evidence in law courts recorded in English and, particulars *re*, *Burn*, 44,849–54; *Riza Ali*, 45,344, 45,373-5.
Europeans should be trained in, by conversing with superior Indian officer, *Moti Lal Nehru* - 46,473
French Jesuits good teachers of, *Piggott* 47,705–6
Greater proficiency in, necessary, *Malaviya* - 43,183
Importance of I.C.S officers attaining adequate proficiency in, *Clay* - - - - - 47,091
Inclusion in every University curriculum advocated, *Riza Ali* - - - - - 45,331, 45,341–2

INSTRUCTION IN:
Better given in England than in India, *Marris* 43,860–2, 43,877
Better in India than in England, *Yusuf Ali* 42,616, 42,803–6, 42,968–9
Colloquial, not more easily given in England than India, but quite possible to obtain, *Lindsay* 48,338 9
Difficulties *re* obtaining, none heard of, *Yusuf Ali* 42,971
Interpretation of, in law courts often necessary in recent years, *Riza Ali* - - - - 45,264
List of degrees taken by I.C.S officers, and particulars *re*, *Burn* - - - - - - - - 44,647
Literature, difficulties *re* study of, and suggestions, *Burn* - - - - - - - - 44,647
Promotion to higher grades and to charge of district should depend more or less on proficiency in, *Muhammad Ali* - - - - - 47,849
Study of, in Roman characters might facilitate matters and script could be learnt afterwards, *Marris*, 44,181–6; *Piggott*, 47,704
under Syllabus *under* Indian Civil Service Examination *and under* Course of Study *under* Probation, I.C.S.)

Y.

Yusuf Ali, Khan Bahadur Abdullah *ibn*, I.C.S., evidence of - - - - - - 42,603–43,000

00109143

Digitized with financial assistance from

Government of Maharashtra

on 01 February, 2020